

League moves towards peace

# THE TIMES

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## Rifkind overrules BR on Channel link

By MICHAEL DYNES AND PHILIP WEBSTER

MALCOLM Rifkind yesterday announced the government's choice of route for the high-speed rail link from the Channel tunnel to London and immediately ran into conflict with the tunnel builders and British Rail, who denounced the decision as "a disaster" and "a golden opportunity missed".

The transport secretary's ruling that the line should run to King's Cross through Essex instead of British Rail's preferred southerly route means it is unlikely to open this century. Sir Bob Reid, the BR chairman, said it would also add about £750 million to the cost.

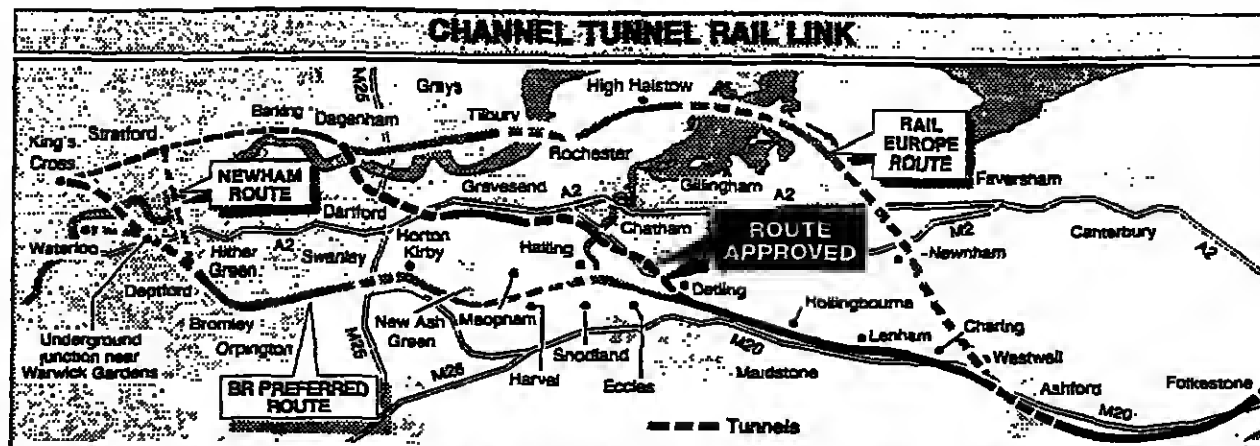
Mr Rifkind's announcement delighted the Conservative party conference and a

group of MPs who feared for their marginal seats along the southern route through north-east Kent, but he was immediately accused of political expediency by Sir Bob, who said the minister had accepted that BR's suggested line was "the preferred transport solution".

Sir Bob said the government had missed a golden opportunity to bring about a dramatic improvement in rail services for domestic as well as international passengers.

"The route chosen will take commuters where they don't want to go and add up to 20 minutes to their overall journey to work," he said. "Oh no. For heaven's sake. If you are in the middle of a pantomime, you want to stay with it."

Sir Alastair Morton, chief executive of Eurotunnel, said he was angry because of the



delays the decision would cause. "The government has taken a terrible step in persuading itself that construction need not begin until the end of the century," he said. "I am completely unhappy with this announcement. It is a disaster."

Mr Rifkind told the Conservatives that he was announcing

the decision to the conference because he wanted to minimise blight and uncertainty. The government had taken into account the long-term requirements for rail freight and decided that a route approaching central London from the east, via Stratford, would "not only satisfy our transport objectives, but greatly minimise the impact of the line on the environment and on residential property. It also offers substantial development along the east Thames corridor."

Mr Rifkind said that there was sufficient capacity on existing lines to meet likely demand until 2005, but British Rail estimates that demand may exceed capacity by 1998, five years after the Channel tunnel is due to open. BR had been working towards a target date of 1998 for the opening of the link, and had spent £140 million on property purchases and surveys for the southerly route.

All that work will have to be scrapped. Property purchases and surveys for the chosen line will cost about £60 million and take about two years and parliamentary approval could take another two years. Allowing six years for construction, the line is unlikely to be ready before 2001.

The choice of route was a victory for Michael Heseltine, the environment secretary who is keen to see expansion eastwards along the Thames, and for Treasury officials, who were reluctant to commit government funds at this stage. Mr Rifkind has, however, won Treasury agreement that public money might have to be invested eventually.

Mr Rifkind told reporters that he would like to see the link funded 100 per cent by the private sector, but there might have to be consideration of private-public ventures. John Prescott, the shadow transport secretary who welcomed the govern-

ment's conversion to an eastern approach, called for concrete proposals on funding.

Early indications suggested that private sector companies are sceptical about financing the £4.5 billion scheme without some element of government subsidy. An early partnership between BR, Trafalgar House and BICC was rejected by the government because it needed a £2 billion public subsidy to make the link commercially viable. Surveys by Pleda, the planning and development consultants, doubted whether either of the two proposed routes could generate more than £100 million in property developments, leaving another £4.4 billion to be found.

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## Thatcher wins Tory adoration at conference

By OUR POLITICAL STAFF

MARGARET Thatcher received a five-minute standing ovation yesterday as rank-and-file adoration of the former prime minister threatened to overwhelm a Conservative conference still displaying divisions over Europe. The conference teetered on the edge of chaos as conference representatives called for Mrs Thatcher to speak. The chairman, Sir Joseph Barmard, trying to press on with conference business, was greeted with boos, slow handclaps and footstamping. The ovation led by John Major followed Mrs Thatcher's first appearance on the conference platform since she was ousted from the leadership. Eventually the hubbub died when Sir Joseph said he had received a message from

Mrs Thatcher saying she wanted the programme to continue.

Ministers remain nervous about the enduring influence of the Euro-sceptical Mrs Thatcher on the party's anguished internal debate over Europe. Norman Lamont, the Chancellor, and the leading Euro-sceptic in the cabinet, won loud applause when he said: "Britain's future may be in Europe. But we have to ensure that decisions about the economy of this country are taken where they should be - in Britain. And I will not allow a single currency to be imposed on this country. Unlike the Labour party, we don't want laws to be made and taxes to be raised in Brussels for which the British people have not voted."

Mr Lamont said he would fight for a permanently low inflation rate and to reduce the standard rate of income tax to 20 pence.

At a fringe meeting of Conservative Way Forward, the group formed to keep alive the spirit of Thatcherism, Norman Tebbit intensified his call for a referendum if the Maastricht summit on European union resulted in a package involving changes in Britain's constitutional arrangements.

Kenneth Baker, the home secretary, announced plans for 1,000 extra police officers and a new offence of joyriding. In a powerful, well received address in which he sought to demolish Labour claims that it had become the party of law and order, Mr Baker fiercely criticised those who had taken part in the recent disturbances in Cardiff, Oxford and Newcastle and said ministers supported firm punishments for those convicted of violent crimes.

"Arson, vandalism, violent attacks on bystanders and looting were committed by young louts for no other reason than self-indulgence and greed," he said, dismissing claims that deprivation had been the cause.

Under the new offence,



Prime time: John Major leads the enthusiastic applause for Mrs Thatcher on the conference platform yesterday

## Amazing descent of the woman in the iron mask

technically to be known as "aggravated criminal taking", people who steal cars and then either drive them dangerously or deliberately damage them could receive a maximum penalty of two years in jail, an unlimited fine and a lifetime driving ban. The government hopes to introduce legislation proposing the new offence before the election. The current offence of car theft or taking a vehicle without consent will remain.

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## Navy lifts blockade of Croatian ports

From ANNE McELVOY IN ZAGREB

THE Yugoslav armed forces began lifting a naval blockade of Croatian ports yesterday as the ceasefire held across the republic.

The first solid indication that the new hull in the fighting had some chance of succeeding came when naval vessels unsealed Zadar. The Adriatic port was one of seven where the federal armed forces agreed to lift their week-old blockade if Croatia ended a siege of federal barracks in the region simultaneously. The leaders of Serbia and Croatia will meet in The Hague today as the European Community tries to use the lull to separate the two sides.

Hans van den Broek, the Dutch foreign minister, will meet Franjo Tudjman, the Croatian president, Slobodan

Milosevic, the Serbian president, and Veljko Kadijevic, the Yugoslav defence minister, to follow up the agreement reached last Friday which produced the ceasefire. Today's talks will turn on unresolved details about a possible withdrawal of Serbian forces from Croatia. A Dutch foreign ministry spokesman said yesterday that no agreement existed on which barracks would be evacuated or what arms the troops could take with them. The Yugoslav army, meanwhile, said it was negotiating a partial withdrawal from Croatia, according to a senior army general.

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The appearance on the platform yesterday of the top half of Mrs Thatcher - mute and nodding, her smile too broad - was like those videos of hostages. Along with the audience, I wanted to storm the rostrum to see whether her legs were in irons, she had been forcibly injected with sedatives or Chris Patten was twisting her arm behind her back. For days we had been promised by the Tory high command that they were going to show us Mrs Thatcher. We would see for ourselves that she was well treated and in good spirits. She would appear on the platform at Blackpool.

Appear? How? Wild speculation gripped devotees and the media. Roadside reporters were posted all around the hall but, as helicopters chopped the wind, rumour had it she might land from above. A story circulated about a tunnel from outside: she could pop up from the rostrum floor. Others pictured a figure in an azure tutu, abseiling from the wings.

One Tory MP speculated unattractively that she might materialise in mini-hologram form, a tiny blue image shimmering, like Princess Leah in *Star Wars* on the chairman's palm, endlessly repeating the same message: "There is no such

thing as society..." The entry of Mrs Thatcher, awaited so breathlessly by the Tory conference, was watched by Matthew Parris

The hall waited. Then the platform party parted like the Red Sea awaiting the most important Israelite of all. Leaving a 50 yard gap at its centre, ministers cowered to each side as though to receive in their midst a radio active rod.

And she simply walked on, with Mr Major.

A conventional entrance, an unconventional welcome. The conference erupted, leaping to its feet. If there were any doubts for whom, the Prime Minister settled it:

modestly bowing to the obvious he stood, and clapped. Immediately bowing to the obvious, she sat, and acknowledged it.

Now that everyone applauds everything, you have to cheer too. There was a huge cheer for Mrs Thatcher, she stood, waved, sat, stood, waved, and sat again. Shouts, cooed out. But still she did not speak. Brows furrowed. Was she all right? "Speech!" someone shouted and soon everyone was shouting "Speech". This had not been scripted. The podium mafia looked worried. Mr Patten scowled. And on it went. "Speech".

I cannot report that Mrs Thatcher shook her head, wrote a note, or did anything to indicate unwillingness to speak. Her face showed only rapture. But around her the men in dark suits were frowning and growling to each other. Suddenly the chairman took the initiative. "I have received a message," he shouted. "I have received a message from Mrs Thatcher..." the crowd fell silent. "...and she has asked us to continue with the programme."

Had she? We looked at her, the Woman in the Iron Mask. Her face now was expressionless, the men in dark suits were smiling. Mr Continued on page 20, col 8

## Taxmen tackle the universities

By JOHN O'LEARY, HIGHER EDUCATION CORRESPONDENT

UNIVERSITIES and polytechnics stand to lose millions of pounds in tax on business built up with the encouragement of the government.

The Inland Revenue has warned universities that they may be liable for corporation tax on consultancy fees and conference lettings over the past six years. Although now a vital part of university and polytechnic income, such business has always been treated as exempt from the tax because of the institutions' charitable status.

Local tax inspectors have started to examine some universities' accounts to establish which of their activities constitute trading and bring in profits. John Isaac, deputy chairman of the board of the Inland Revenue, has written to the vice-chancellors, giving his view that consultancy and lettings are taxable.

The vice-chancellors are angry that universities that have been most successful in following ministers' advice to increase private income now face potentially crippling bills. Although they can use tax avoidance schemes to protect themselves in future, retrospective payments of 30 per cent of profits would amount to several million pounds.

Calculating the full cost will be a lengthy exercise because inspectors will have to determine which business is genuinely educational and which to classify as trading.

Conferences, for example, will remain exempt if they are academic. The difficulty will be compounded by the fact that most universities do not distinguish between research and consultancy fees.

A spokesman for the vice-chancellors said: "All the cash generated from these activities is ploughed back into the universities' educational work, so we would hope for an extra concession. Nobody wants to evade tax if it is due, but we have reached proper agreements on value-added tax, so we think it is a bit unfair if this is left to local discretion." The vice-chancellors are seeking national negotiations, and university finance officers have also asked for a meeting with the Inland Revenue.

A loss of income from letting accommodation would be particularly damaging, since universities have now built up a lucrative conference and holiday trade. Constructing much-needed student residences is made an economic proposition partly through Continued on page 20, col 3

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There are 12 pages of top jobs in today's appointments section, which is circulated in Britain.



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## Waldegrave faces Labour criticism over 'political' appointment



Waldegrave: wringing his hands over hospital trusts

THE commission of enquiry into London's hospitals to be announced by William Waldegrave, the health secretary, in Blackpool today, is to be chaired by Sir Bernard Tomlinson, a pathologist and a former regional health authority chairman.

However, both the appointment and the decision to make the announcement in Blackpool was last night seen by health analysts as another political banana skin casting doubt on whether the enquiry will be really independent.

Sir Bernard was appointed chairman of Northern regional authority in 1985 by Norman Fowler, the then social services secretary. The choice of a known Tory appointee is likely to be seized on by the Labour party which has campaigned vigorously over the proliferation of Tory

supporters in key health service posts.

Although Sir Bernard, aged 71, emeritus professor of pathology at Newcastle University, brings a wealth of experience as both a manager and a doctor to the financial problems facing London, where he trained, some fear that his hands will be tied by the government.

There was also scepticism about the government's attempts to distance the enquiry from Mr Waldegrave's decision to freeze trust bids from London's top teaching hospitals. That move, leaked on Tuesday night, comes in the wake of growing concern about the impact of the internal market in London and the likelihood of politically damaging headlines announcing ward closures this winter. Mr Waldegrave will give details of the commis-

**The choice of a known Tory to head the London health service enquiry raises doubts about its independence, reports Jill Sherman**

sion's terms of reference at the Conservative conference and emphasise the need to reorganise the capital's services which has historically been overbedded and understaffed. Nine out of the 12 London teaching hospitals are now in financial difficulties because they have had fewer referrals than they expected as GPs send their patients to cheaper local hospitals in the shire counties.

The commission is expected to draw up a gradual programme of reducing acute services in the capital and is likely to recommend that one or more teaching hospitals should close. It will also

advise Mr Waldegrave on whether to approve a £175 million teaching hospital in Bloomsbury and a new £74 million phase of St Mary's hospital, Paddington.

Mr Waldegrave's move to shelve at least four of the 14 trust bids from acute hospitals in the Thames region will inevitably, though perhaps unfairly, throw a question mark over the viability of the hospitals concerned: St Mary's, St Thomas and St Bartholomew's, central London, and King's College in Camberwell.

The decision to put their applications on ice is thought to have been made to avoid head-

lines about cuts in second wave trusts. The Labour party had been so adept at linking the financial difficulties at Guy's Trust to the reforms that Mr Waldegrave feared the same could happen to a string of other top hospitals, one source said.

Mr Waldegrave, who is said to have been "wringing his hands" over the decision, was planning to make an announcement to Parliament next week. He was to say that although most of the 113 trust applications would go ahead underlining the government's confidence in the reforms, four would be temporarily vetoed pending the London enquiry. The leak this week could not have been more disastrous in presentational terms, according to senior government sources.

Yesterday Labour claimed the London enquiry was a govern-

ment admission of failing to predict the detrimental effects of an internal market on the city. Robin Cook, Opposition health spokesman, said that over a year ago he had published a leaked report in which managers had issued a warning that the result of putting London hospitals into a market in healthcare would be unplanned closures. "There is one key question that William Waldegrave must answer tomorrow. If opting out is too risky for hospitals in London, why is he taking the same gamble with hospitals everywhere else?"

Last night, the Institute of Health Services Management welcomed the move to hold a London enquiry and to hold back London trust applications.

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## Ford unions call for work security as 1,000 jobs go

By KEVIN EASON, MOTORING CORRESPONDENT

UNIONS are to demand job security at Ford's 21 British plants in pay talks next week as the company seeks 1,000 redundancies before the end of the year.

Ford plants, where car sales have fallen by more than 100,000 this year, have already lost 2,600 manual workers this year by voluntary redundancy.

The new cuts will mean 500 fewer jobs at Halewood, Merseyside, and 300 at Dagenham, Essex. The others will be at Enfield in north London, Belfast, Aveley, Essex, and Swansea, Bridgend and Treforest in south Wales.

The losses add to a list of job cuts over the past few days which, opposition leaders and union officials claim, confound government reassurances that the recession is over. The biggest include 750 redundancies at Pilkington, the glassmaker in St Helens, Lancashire, and 700 at Unisys, an American-owned electronics plant based in Livingston, Scotland.

Gordon Brown, Labour's industry spokesman, said the redundancies meant that this was one of the worst weeks of the recession.

Jimmy Airlie, secretary of the Ford national union negotiating committee who will lead Monday's negotiations,

said: "This news nails the Tory lies that the recession is over. All the evidence shows that it is deepening."

Increasing concern over the effects of the recession on Ford has led union leaders negotiating for 29,000 assembly line workers to press for a job security clause.

Last year the company suffered its first financial deficit for 20 years with a pre-tax loss of £274 million and there have been few signs that the company is turning back the tide this year.

Sales have continued to dwindle with the new car market down by more than 21 per cent in the first nine months. Ford says the total market will be only 1.55 million this year, compared with two million in 1990 and a record 2.3 million in 1989.

Dagenham has survived the worst of the recession by exporting about 10,000 Fiesta cars a month and almost 80 per cent of its engine production. Halewood, however, has no export market for its Escort and Orion cars, forcing Ford to put the plant's 3,800 assembly workers on alternate weekly working and to cancel night shifts.

Halewood can make 1,100 cars daily, but has been working at half that capacity. Ford has also been forced to reduce prices by up to £800 a car to keep sales moving.

Ford has said that all the cutbacks would be achieved through voluntary redundancies, early retirement and natural wastage.

Pay rises for managers have averaged 8.9 per cent over the year to August but are expected to fall to 7.2 per cent this year, according to a survey of 22,460 posts carried out by Reward Group, the remuneration consultants (Russ Tietman writes).

The fall in the level of top salaries in response to falling inflation is bound to encourage ministers anxious to talk down pay expectations. But the figures will reinforce concern that pay increases often continue to outstrip productivity gains in industry.

According to Reward "whichever way you look at it, managers are much better off than they were last year. With pay increases of 8.9 per cent and inflation, as measured by the retail price index, at 4.7 per cent, there is more money in the pocket than last year."

Reward's research, based on awards by more than 1,000 companies, found similar average pay increases at all levels of the management ladder. However, there were strong regional variations.



The search goes on: Angus Stirling, director general of the National Trust, looks for crane flies inside an insect sweep net yesterday after launching a £1 million appeal in East Sussex to finance the trust's drive to buy further areas of the South Downs

## £1m appeal to save the serene South Downs

By MICHAEL MCCARTHY

THE National Trust yesterday launched an appeal to help save the South Downs, England's National Park that never was.

It did so amid signs of trouble with the first official plan to protect the downs, the chalk hills sweeping 70 miles from Eastbourne to Winchester, which were in the initial list of proposed national parks in 1947, but never subsequently designated.

Squabbles between the 13 local authorities involved are now putting at risk the conservation board, which has at last been planned to protect the downs as a whole.

Yesterday Angus Stirling, the National Trust's director-general, said the downs, celebrated by Belloc, Kipling and Edward Thomas, constituted a dramatic, marvellous and unspoiled landscape now under severe threat. The trust is seeking to raise £1 million over the next three years to buy new areas of downland and continue the management of its existing 10,000 acres.

Launching the appeal from the trust's latest acquisition at

the heart of the downs, the 350-acre Frog Furl farm near Alfriston in Sussex — close to Clergy House, the trust's first acquisition, in 1896 — Mr Stirling said that the downs were quintessentially English and a landscape of enormous serenity, "the land of the skylark and the Adonis blue butterfly".

Now, he said, they were threatened more than most other parts of unspoiled countryside by ribbon development, housing, quarrying, sports facilities and business parks, while the sheep farming that had shaped them was no

longer economic. "In West Sussex alone, one third of the downland was lost between the years 1971 and 1981."

"This is a process which has been going on since the second world war and is still going on now." The trust had a large and growing commitment to protect the downs, he said.

However, problems are emerging with a long-awaited commitment from the public sector, the proposal made earlier this year for a conservation board for the South Downs area of outstanding natural beauty, to be run jointly by the Countryside

Commission, East and West Sussex county councils and the 11 district councils in the area.

The commission has offered to provide 50 per cent of the initial budget, estimated at £1 million a year for the first three years, and it has been intended that the board should come into operation in April next year.

But it is now at risk as the councils concerned have been unable to agree on the powers it should have, with some of the districts, in particular Hove and Lewes, holding out for more representation and

showing reluctance to grant the board a right of audience in disputed planning applications. It is thought that if agreement is not reached by the end of the month, the commission may withdraw from the project.

David Coleman, the commission's deputy director said: "We are extremely concerned at the delay."

Robin Crane, chairman of the South Downs Campaign, an umbrella body for local pressure groups, said: "We are very worried that the protection of the downs is being lost in the squabbles."

## 50 jobs go at Law Society

By FRANCES GIBB  
LEGAL AFFAIRS  
CORRESPONDENT

THE Law Society, the solicitors' professional body, is making redundant 50 of its 600 members of staff to try to cut £3 million off next year's budget.

The society, with a gross turnover of £40 million, derives the bulk of its income from the annual fee for the practising certificate, which from this month costs £420, an increase of more than 8 per cent on last year. John Hayes, secretary general, blamed the recession for an estimated 2,000 shortfall in certificates by the end of this year.

"We have had recessions before but we still expected the number of practising certificates to continue to grow in a total of 61,000," Mr Hayes said. "This recession has bucked the trend." He did not expect to see an economic recovery for solicitors before mid-1992.

The shortfall had been caused by hundreds of solicitors who were retiring early, he said, while others "at the bottom end" were either not renewing their certificates or were unable to find jobs.

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## 'Miracle' is medieval alchemy, says scientist

By NICK NUTTALL, TECHNOLOGY CORRESPONDENT

THE blood of St Gennaro, one of the most venerated relics of the Roman Catholic Church, and the subject of a miracle which believers hold in the same reverence as the weeping madonnas of Ireland and the holy remains of Francis Xavier, might be little more than medieval alchemy.

An Italian chemist claims to have recreated the effect, in which the blood liquefies from a dark brown solid, in his laboratory, using chemicals plentiful in local days near Naples.

The ceremony, last performed at Naples Cathedral last month, dates from 1389 and now attracts a television audience of millions. Bad

luck is believed to hit Naples and, more recently, its football team if the miracle fails to occur, which it has from time to time.

Luigi Garlaschelli, an organic chemist at the university of Pavia, became interested in the ceremony after spotting some correspondence in a magazine run by Cicab, the Italian equivalent of the US Committee for the Scientific Investigation of Claims on the Paranormal.

The authors, Franco Ramaccini and Sergio Della Sala, of the neurology department of San Paolo hospital, Milan, proposed that the miracle might be a thixotropic effect, by which certain gels turn into liquids when they are

stirred or vibrated before resolidifying. To support the hypothesis, Dr Garlaschelli tried to make a gel which not only resembled the blood but used ingredients and techniques that would have been available in the 14th century.

A solution of hydrated ferric chloride, to which calcium carbonate was slowly added, was sieved through a tube. Animal gut or parchment would work just as well, Dr Garlaschelli said. The solution was allowed to evaporate, after which salt was added.

The resulting gel liquefied when shaken turned gently around in a glass container of the kind used for the

relic's blood. A colour match was made by varying the levels of salt. Ferric chloride is plentiful in molysite, found around active volcanoes such as Vesuvius, near Naples.

Dr Garlaschelli, whose findings are published today in the British journal *Nature* under the headline *Working Blood Miracles*, speculates that a medieval alchemist or artist might have stumbled onto the recipe while experimenting, or in search of a new pigment.

"The chemical nature of the Naples relic can be established only by opening the vial, but a complete analysis is forbidden by the Catholic Church. Our re-

plication of the phenomenon seems to render this sacrifice unnecessary," Dr Garlaschelli said. The Roman Catholic Church in Britain said: "It is a bit like the Turin Shroud... it is not an article of faith. Catholics are free to believe or not believe in them as they choose."

Mervyn Alexander, Roman Catholic bishop of the diocese of Clifton and chairman of the church's art and architecture committee, said yesterday that there was no suggestion that the church had been knowingly involved in any kind of fakery. "Belief in the authenticity of such things is a personal judgment and some people feel moved to accept them."



Family woman: Anna Turnbull-Walker with her children Fay, Noah and Isaac

## Lawyer is mother of the year

By MATTHEW D'ANCONA

ANNA Turnbull-Walker, a solicitor with three children under the age of eight, has been named Working Mother of the Year.

Mrs Turnbull-Walker, aged 40, of Lewisham, southeast London, was nominated by her husband, David, also a solicitor. She begins her work as a criminal advocate for Hatten Wyatt in Gravesend, Kent, before 8am and returns home at 3.30pm so that she can spend time with her children, Isaac, aged seven, Fay, five, and Noah, two. She has campaigned to improve the working conditions of other mothers employed by her firm.

The award, organised by the Working Mothers Association in conjunction with *She* magazine and Reed Personnel Services, attracted 200 entries. Mrs Turnbull-Walker said that she was surprised to have won and attributed her success to careful time management. "I'm tired a lot of the time, but I'm very organised," she said. "It helps if you have a supportive partner."

John Crewe, who accepted the Employer of the Year Award on behalf of American Express, said that a corporate culture supportive to working mothers made business sense. "It is not just philanthropy," he said. "It gives our company a competitive edge and lets us attract better people."

Chrissy Mcleady, of Sheffield, received the Thank-You Award, for her services to child care.

## New funds urged for NHS trusts

By JILL SHERMAN  
SOCIAL SERVICES  
CORRESPONDENT

HEALTH service trusts may have to reduce the number of operations they carry out unless they are given additional funding this year, according to a report published today.

The report, based on a questionnaire survey of chief executives of 41 of the 57 trusts, says that many trusts are under financial strain having treated more patients than planned. The findings, by the management consultancy Newchurch, which back up a survey by *The Times* last week, will increase pressure on William Waldegrave, the health secretary, when he faces the Tory conference today.

In the Newchurch sample, nearly one in four trusts said that they were overspent due to treating more patients than agreed in block contracts with health authorities. Several trusts had not received the expected income from GP fundholders and from other referrals outside contracts.

*The Newchurch Guide to NHS Trusts* (Newchurch & Company Ltd, 12 Charterhouse Square, London EC1M 6AX)

## Nimmo charged

Derek Nimmo, the actor, has been charged with drink-driving, after being stopped by police in Plymouth yesterday. Police said Nimmo, aged 58, was given a breath test after his Rolls-Royce was stopped by a patrol car. Nimmo, who is appearing in *The Cabinet Minister* at the Theatre Royal, London, is due to appear before magistrates in Plymouth tomorrow.

## Action on homes

Virginia Bottomley, the health minister, will demand full details of a report into children's homes in Bradford that alleges sexual abuse, prostitution and assaults on staff, unless urgent action is taken to control youngsters, it emerged last night. The government is to monitor the homes after the investigation by six child-care experts set up in the wake of the Staffordshire pin-down scandal.

## Poll tax enquiry

Birmingham city council has suspended two junior members of its poll tax staff while auditors investigate alleged irregularities in the collection of the charge. Sir Richard Knowles, leader of the council, said yesterday that there had been too many poll tax errors for them to be a coincidence. Roger Burton, city treasurer, said the sums appeared to be small and the police had not been called in.

## Body found

Spanish police have found a body which they believe to be that of Alexandra Lye, the British nurse missing from her holiday apartment in Aguilafuente, near Almeria, since August. A murder enquiry was begun after bloodstains were found in the hallway leading from her door. A Briton who runs a bar in Aguilafuente was arrested with his wife. He is still being held on a homicide charge. His wife was released.





## Losses in art warehouse blaze may reach £100m

By STEWART TENDLER AND SARAH JANE CHECKLAND

ESTIMATED losses in the London art warehouse fire yesterday to up to £100 million as one loss adjuster described the blaze as the "Piper Alpha disaster of the art world" and praised a strong room that may have prevented even more damage.

Scotland Yard yesterday appealed for witnesses who might have seen anything suspicious before the blaze started at the warehouse, owned by James Bourlet and Sons, on an industrial estate at Feltham, near Heathrow airport. A team from the Yard's fire investigation unit worked amid the debris yesterday and is expected to remain at the scene for the rest of the week.

The fire broke out on Monday evening after an intruder alarm was activated. The Bourlet company is one of the country's leading art packers and transporters, and Van Gogh's *Irises*, sold for £30 million, and the Badminton cabinet have been stored there. Police are awaiting results of scientific tests before saying whether the fire is arson. The investigation is described as standard practice for a building storing valuable goods.

If the fire is arson, police, who yesterday put the losses at anywhere between £50 million and £100 million, have yet to find a motive. There is speculation in the art world that the fire may have been started to conceal a theft by burglars. Philip Saunders, editor of *Trace* magazine, which publishes stolen art, said: "They need only one item worth £250,000 to make it worthwhile. Whatever it was would be suspected as destroyed." The intruder alarm alert was significant, he said.

Many artefacts were stored in the main area of the two-storey warehouse and these are said to have been destroyed, but high-value paintings kept in a strong room with temperature and humidity controls have survived. The strong room was built in the late Seventies and consists of two rooms surrounded by a 1ft-thick wall of concrete with special doors.

A locksmith had to cut and drill his way into the strong room after the fire and there was relief when the doors were open. Paintings were brought out still hot 24 hours after the

fire, but intact, although some had been affected by water. Yesterday, Ian Fairley, a loss adjuster from Graham Miller Group, acting for a number of Bourlet's clients, including Sotheby's, called the fire "the Piper Alpha of the art world".

Mr Fairley praised the strong room, saying: "Miraculously, a fortune in art work has survived." However, he said that was too soon to know what long-term damage might have been done by heat despite the protection. "Anything in the furniture line will have been reduced to ashes," he said. "But I understand fortunes have been saved by the strong room. It proves that strong rooms actually work."

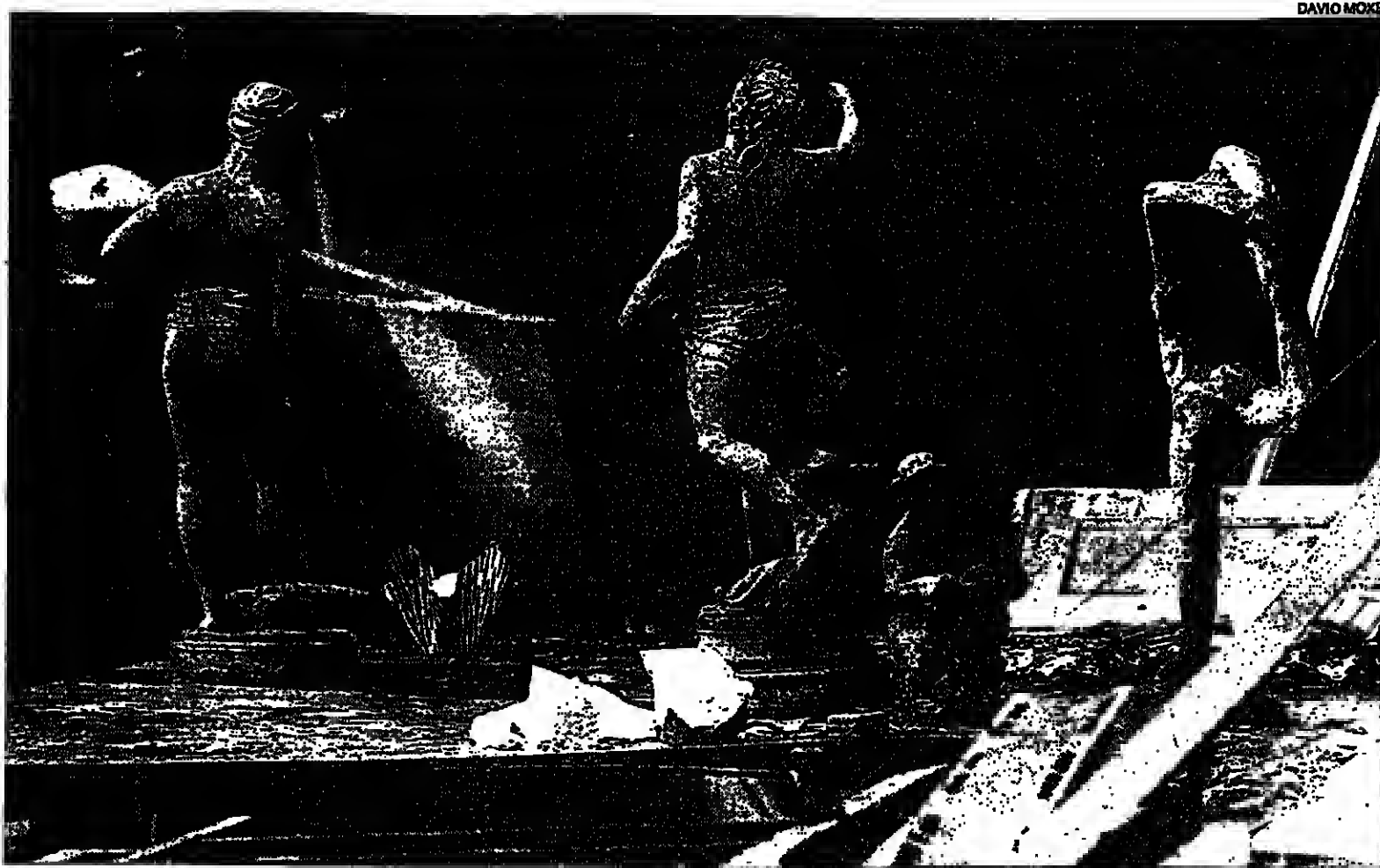
There was confusion yesterday as to how many of Bourlet's records had survived the blaze. Mark Dalrymple, of Cunningham IAP Ltd, another loss adjuster, said: "I have heard that most of the records were not burned, but that they were damaged by extinguishing water." Graham Young, of Crowley Colosso Ltd, the loss adjuster for Bourlet, declined to comment.

Losses are thought to include paintings by Matisse, the French 20th century artist, and Delaunay, a Russian abstract artist. Mr Fairley said: "I'm going hunting for a Matisse and a Delaunay painting. They may have been the ones that came out in a shovel."

It ended last night that the world's most expensive piece of furniture, the Badminton cabinet, for which Barbara Johnson, the Johnson & Johnson baby products heiress, paid £8.5 million last year, escaped the fire because it was being treated at a London restorer's. It was due to be exported to her home in New Jersey.

Last night, Bourlet said that 150 paintings, sculptures and other items including glass and porcelain worth a total of £25 million had been recovered from the strong room. Computer records, described as vital, were found in a fireproof safe while the fire was burning and these would contribute to the inventory of what was in the warehouse.

No details are available of what was lost. Bourlet was not always given details of contents of crates, but was merely asked to store and ship them.



Survivors: sculptures at the London art warehouse damaged by fire, which, according to one theory, may have been meant to mask a burglary

## Dixie Dean sets a new record

By JOHN SHAW

THE magic of Dixie Dean, Everton's greatest star and one of the best-known football names on Merseyside, came alive again in a sale of his medals at Christie's in Glasgow yesterday.

Dean's first division championship medal from 1927-28 went to Gordon Wallis, a private collector from Kent who paid £9,350 and set a new world record for a football medal. Everton were the underbidders. The club won the championship for the third time in its history that season but it is best remembered for Dean's record 60 league goals.

The National Galleries of Merseyside bought five lots, paying £3,300 for a 15-carat gold FA Charity Shield winners' medal from 1932 (est £1,000-£2,000). Dean scored four of Everton's goals that day in their 5-3 defeat of Newcastle United.

Dean was born in Birkenhead in 1907. When he was 11 he was playing regularly in a local team of 16-year-olds. He joined Everton in 1925-6, and died at the Goodison Park ground after an Everton-Liverpool derby game in 1980. The sale made £143,545 with only 3 per cent unsold.

## Orkney social workers faced 'near mob riot'

By KERRY GILL

SOCIAL workers on the Orkney islands found their offices occupied by an angry mob after Sheriff David Kelbie criticised procedures taken to remove nine children from their parents because of alleged sexual abuse, the judicial enquiry was told yesterday.

Susan Millar, the senior social worker behind the dawn seizures last February, described the tumult that took place in the department's offices immediately after the court hearing on April 4. Sheriff Kelbie's criticisms left the social work authorities with no choice but to order the children's immediate release.

Mrs Millar said that staff greeted the sheriff's decision with shock. Suddenly a crowd of people burst into the offices. One social worker, Lynn Drever, was trapped in her room and Mrs Millar tried to telephone the police. But one of the mothers of the children smashed her hand down on the telephone, she said.

Television cameras filmed the "near mob riot" as parents threatened her and Paul Lee, the social work director, with violence. "No one tried to calm the situation, it was a very distressing experience," said Mrs Millar. The crowd

accompanying the parents had marched on the offices after Sheriff Kelbie said that procedures taken by the children's panel and its reporter, Gordon Sloan, had been so flawed as to be incompetent. He had said that the children had been deprived of their fundamental rights.

Mrs Millar said she was unhappy at the children being allowed home. One of them, SB, aged eight, had not wanted to return home, she said. The boy had said that somebody at home was groping his genitals. "He said that bad things were happening to him at home and he didn't like the bad things," SB returned to Orkney with the other children that evening, where they were greeted at the airport by their parents.

Mrs Millar argued that social workers had had no choice but to take the children after hearing evidence of abuse. "The parents became unreachably because of their aggressive stance and their use of the media. The damaging effects of Sheriff Kelbie's remarks and the media contribution have been incalculable," she said.

Mrs Millar said that after the seizures she felt Mr Lee, her director, had appeared

unable to cope with parents' queries. "The team did not know what he was agreeing with the parents. I felt the director had become extremely vulnerable because of the pressure from the press. I could hear the families shouting at him for the best part of an hour in the room next door to me and I did not think he was able to cope because of the pressure he was under. When he came out of the meetings he couldn't remember what had been said or promised."

Under cross-examination by Edward Targowski, QC, Mrs Millar said that Rev Morris McKenzie, the Church of Scotland minister alleged to have taken part in sexual abuse, sent a Christmas present, a toy hammer, to the W children who were already in care. The children were also sent "turkey paraphernalia".

Mrs Millar said: "There was growing concern about all the references to various kinds of animals." She said they had reason to believe certain items were "inhibitors", which had connections with abuse and which might intimidate a child into not talking about what had happened.

The enquiry continues today.

## Elephant killed zookeeper

A ZOOKEEPER died when an Indian elephant snapped his spine, an inquest at Coalville, Leicestershire, was told yesterday.

Roy Lock, aged 38, assistant curator at Twycross zoo, Leicestershire, was examining Iris on August 4 this year, after the animal had undergone a foot operation. Mr Lock had just given her some apples when she trapped his head behind a steel door.

Denis Bouch, a pathologist, said that death would have been virtually instantaneous.

Earlier, Molly Badham, Twycross director, said: "No one would ever have considered looking at her foot in that position. We can only conclude that Roy meant it as a kindly gesture." Although Mr Lock, who lived in the zoo's grounds, had been filling in for Iris's regular keeper, he was "very careful" and the incident was out of character.

Stephen Slater, a zookeeper, told how he heard Mr Lock talking to the 24-year-old elephant, who was known to be temperamental with people she did not know. "I turned and looked and Iris' forehead had got Mr Lock against one of the upright bars."

The jury returned a verdict of accidental death.

## Nurse died in crash after alert by police

By CRAIG SETON

A POLICE car that crashed into another vehicle, killing a nurse, had just made a U-turn after noticing a car whose driver was suspected of failing to pay for petrol. Warwickshire police said yesterday.

The force has started an urgent investigation to find out whether the two-man crew was in full pursuit of the suspect's vehicle when the police car collided with a Metro driven by Mandy Willis, aged 36, a staff nurse at Warwick hospital, who died there from her injuries.

The accident happened on Tuesday night at traffic lights in Whitnash, Leamington Spa, near Mrs Willis's home. Mrs Willis, who was separated from her husband, had left her two children, Tobias, aged seven, and Katie, five, with a babysitter and was driving to work when the accident occurred.

The two police officers were treated in hospital for whiplash injuries and sprains, but were not detained. Yesterday they were on sick leave, but had not been suspended.

Chris Fox, assistant chief constable, said the police car was parked while its crew spoke to a motorist when a Jaguar XJS, whose driver was wanted for questioning about not paying for petrol last month, passed it going in the other direction.

"The two officers quickly got back into their car and turned to follow the other vehicle. Almost immediately this terrible collision occurred," he said. "It is not clear whether this was a pursuit or an attempt to make contact with the vehicle."

Mr Fox said that police later interviewed a man about the police offence.

## Man jailed for raping girl, 3

A man who raped a girl aged three was jailed for 15 years by the Central Criminal Court, London, yesterday. Peter McNeill, aged 26, of no fixed address, had attacked the girl in a squat in New Cross, southeast London.

The girl spent ten days in hospital and needed two operations. During the trial, her mother was restrained by detectives after rushing at McNeill with a pair of scissors as he stood in the witness box.

## Spine case

The High Court in Birmingham has adjourned until January 14 a test case in which readings from an orthopaedic "false detector" are due to be given in evidence. Annette Durrant, aged 34, is claiming damages for injuries received when the horse she was riding was in an accident with a car.

## Girl beaten

Two people are being questioned by police about the death of a girl, aged two, who had been hit repeatedly in the stomach. Victoria Wilkins, of Croydon, south London, died on Tuesday morning. A murder inquiry has been started.

## Pollution fine

The Albright & Wilson chemical plant in Whitehaven, Cumbria, was fined £1,000 by magistrates after admitting discharging copper and chromium into the Irish Sea.

## Smuggling case

Four Heathrow workers have been arrested after customs officers seized cocaine worth £1.5 million. They were arrested after a fifth man allegedly arrived on a private jet with 11kg of the drug hidden in his luggage.

## Dysentery cases

The kitchen and water supply are being checked at a primary school in Glasgow after dysentery was diagnosed in two children.

## Doctor cleared

Christina Howie, aged 31, a doctor, was cleared of deception by Stafford crown court in relation to the writing of sick notes for a woman and his girlfriend.

## School blast

Houses in Llantwit Major, South Glamorgan, were evacuated after oxygen cylinders at a school exploded, hurling debris 500 yards and causing £1 million of damage.

## Waring honour

Eddie Waring, the television commentator who died six years ago, is to have a street named after him in his home town of Dewsbury, West Yorkshire.

## Woman crushed

Gwendoline Rhan, aged 64, of Retford, Nottinghamshire, died after being crushed between two cars in a car park.

## Holiday dreams go upmarket

By HARVEY ELLIOTT  
TRAVEL CORRESPONDENT

MORE holidaymakers are making their travel dreams come true by ignoring the recession and moving sharply upmarket, a leading travel agent says.

Given unlimited funds, a third of British holidaymakers would take a world cruise or lounge on a Caribbean beach. Only 2 per cent made it to the Caribbean last year, however, and the number who took a world cruise was too small to measure, according to the biggest travel agency chain, Lunn Poly.

During this summer's peak period holidaymakers paid on average £375 a person, 17 per cent more than last year. The increase was caused by holidaymakers' determination to match as nearly as possible their aspirations with what they could afford, rather than price rises.

Peter Rothwell, Lunn Poly's marketing director, said: "Over the last couple of years of deep recession, we have seen the prices paid by customers rising well beyond inflation and well beyond the average brochure price rise. What we deduce from this is that people are continuing to trade up to higher quality holidays."

Instead of staying close to home after the Gulf war, 11 per cent of holidaymakers travelled outside Europe, up from only 3 per cent venturing far afield in 1988. The industry is confidently predicting strong growth in all sections of the market.

"With the Gulf war, the collapse of ILG (International Leisure Group) and the ethnic violence in Yugoslavia, 1991 has probably been the most dramatic year ever in travel," Mr Rothwell said. Yet bookings for winter are 52 per cent up on the same time last year, and next summer is already showing a 33 per cent increase on this year.

## Woodland cache 'was link to Ellis'

By LIN JENKINS

THE chance find of a cache of arms, bomb-making equipment and explosives by two forestry workers provided the link between an IRA bombing campaign and Desmond Ellis, the Central Criminal Court in London was told yesterday.

David Jeffreys, QC, for the prosecution, said detailed forensic testing had already established links between the car bomb that injured Sir Stewart Pringle, commandant general of the Royal Marines, the bomb aimed at the First Battalion the Irish Guards, two planted in Oxford Street and two which exploded at the home of Lord Havers, the then Attorney-general Sir Michael Havers.

The cache contained much of the same equipment used in the bombings, which indicated that it was the hiding place used by the IRA unit that had carried them out, with the loss of three lives, in late 1981, he said.

Keys to a van, which had been packed with shrapnel bombs that were detonated as the coach carrying the Irish Guards passed on October 10, were found in one of the two dustbins buried in the ground.

The cache was discovered nearly two years later when Timothy Sheldon and Derek Turner were clearing land ready for planting on Path Hill farm in the Oxfordshire village of Whitchurch, near Pangbourne, Berkshire.

Mr Sheldon uncovered the top of a plastic dustbin lid and found walkie-talkies and "something soft, wrapped in plastic", which turned out to be explosives, Mr Jeffreys said.

Inspector Alec Edwards, of the Anti Terrorist Squad, uncovered a second dustbin. Both were packed full with explosives, transceivers, an Armalite rifle, pistols, revolvers and ammunition. Police also found detonators and time power units to control explosions identical to

some of those used in the bombing campaign, together with switches, encoders and other equipment.

Application forms for searching the register of births, deaths and marriages, and for driving licences, clearly indicated that the cache belonged to people concerned with establishing a false identity, Mr Jeffreys said. The find also included a copy of the army list supplement for 1981, "which deals with officers in receipt of retirement pay, but still of interest to people who are members of the sort of conspiracy we are dealing with in this case", he added.

Mr Ellis, aged 39, denies conspiracy with Thomas Quigley, Paul Kavanagh and Gilbert McNamee to cause explosions, and a second charge of possession of explosives between January 1, 1981 and October 27, 1983.

The hearing continues today.



Light relief: dancers Mari Mackenzie (left) and Jayette Taylor outside the Hayward Gallery in London yesterday, dressed in cancan costumes modelled on those worn by Moulin Rouge stars depicted by Toulouse-Lautrec. An exhibition of his work opens at the gallery today

## Why ear was put into man's leg

By THOMSON PRENTICE, MEDICAL CORRESPONDENT

DOCTORS explained yesterday why they temporarily implanted a man's severed ear into his leg rather than reattach it to his head. Patrick Neary, a Channel tunnel worker, had his right ear bitten off in a fight at a Dover public house on Tuesday.

After a transplant operation believed to be the first of its kind, Mr Neary, aged 32, of Aberdeen, Mid Glamorgan, was recovering at the Queen Victoria hospital, East Grinstead, in West Sussex, yesterday. Mr Neary and his ear parted company after the public house incident. Although the organ was packed in ice and taken with him to hospital, plastic surgeons felt that blood vessel damage was such that sewing it back into position immediately would not be successful.

Instead, they decided to implant the cartilage of the ear into part of his thigh where there is a rich network of

blood vessels that would offer a better healing prospect.

In previous cases of this kind, surgeons have tucked detached ears into the fatty haven of the abdomen, or within the patient's arm, as a temporary measure to enable healing. In Mr Neary's case, surgeons believed he would have less limb impairment if his leg was used as the host.

The operation was carried out by George Cormack, senior registrar in plastic surgery at the hospital, within four hours of the assault. Mr Cormack's senior colleague, Brent Tanner, consultant plastic surgeon, said yesterday: "We hope to put the ear back where it belongs in about three months. At the moment it is about three quarters of an inch below the surface of the thigh."

"Some reconstructive surgery, including skin grafts, will be necessary but we believe that eventually there will be little evidence of the wound."

## Otters are lured back to the bright water

By PETER DAVENPORT

AN EARLY morning mist rolled across the Cheviot Hills of Northumberland yesterday as Hugh Watson surveyed progress on an ambitious project aimed at encouraging the otter to return to areas of England it has long abandoned.

"I believe we can bring this animal back to rivers and streams where it has not been seen for decades," he said.

Mr Watson is consultant to the Northumberland Wildlife Trust, which is in the second year of a pioneering programme to create the perfect otter habitat along almost 30 miles of the river Till between the villages of Eial and Powburn. "In the

past we know that otters have swum from the mouth of the river where it joins the Tweed, had a look around and then gone away not liking what they saw even though the water quality is good and there is a plentiful supply of fish. We are aiming to change that so that they will stay," he said.

The trust has created a partnership of farmers, landowners, gamekeepers, anglers, conservationists, public bodies, commercial groups and the National Rivers Authority to research and undertake works to provide a natural habitat attractive to otters.

The ten-year scheme has reached a critical stage and

yesterday the trust held an "otter day" along the river Till, five miles from Wooler, to highlight its success to date and to plead for more financial support.

Until the 1950s otters were found all over the country but large-scale use of pesticides and chemicals in agriculture led to such widespread river pollution that the animals were virtually wiped out in many counties.

Today they are most numerous in Ireland and Scotland with some population recovery along the Welsh borders and in Devon. In England, however, Northumberland remains one of the few strongholds even though the current popula-

tion, estimated at 35, is only a third of what it once was.

Forty trust volunteers are surveying 207 locations in the county to assess accurately the present otter population and samples of otter spraint (droppings) are being analysed to check on pollution levels.

Mr Watson said yesterday that voluntary restraint over farm pesticides and chemicals is improving river water quality but damaged bankside must be improved. Farmers and landowners must be encouraged to fence riverbanks so that sheep and cattle do not graze to the water's edge and destroy the habitat and vegetation otters require to

build their dens. The work is expensive. To fence the experimental length of the river Till would cost £200,000. The trust yesterday called on the Ministry of Agriculture to make its 40 per cent grant towards the cost of fencing of woodland, moors and heaths available also for riverbanks.

Mr Watson said: "The presence of the otter in our rivers is the best indication of water quality because the animal is extremely sensitive to pollution. If the otter is in our rivers and reservoirs it means we won't have any trouble with the quality of water that eventually comes out of the taps in our homes."



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## HESELTINE VICTORY

# About-face based on politics, not transport

Fears for Tory seats and plans for the east London corridor were behind yesterday's announcement of an eastern route for the Channel tunnel rail link, reports Philip Webster

MICHAEL Heseltine was looking particularly happy after last Thursday's cabinet meeting. One of his closest advisers revealed that he had won a "major victory", although it was to be kept under wraps for six days.

The environment secretary, who addresses the Tory conference today for the first time for six years, has now chalked up two policy triumphs since his return from the wilderness almost a year ago. He killed the hated poll tax and, as Malcolm Rifkind confirmed yesterday, he has now helped to kill British Rail's plan to build the Channel tunnel rail link through prime Tory territory in south London.

Gerald Bowden, MP for Dulwich, who has been at the forefront of the battle against the southern route, had persuaded Mr Rifkind to see the engineers. Ove Arup, for a presentation of the scheme that was finally adopted last week. Mr Bowden suspected that the transport department was failing to give enough attention to the eastern route. His spirits soared when he found that the meeting was to be attended by Mr Heseltine, and two of his junior ministers. "From that moment I knew we were in with a strong chance," a jubilant Mr Bowden said yesterday.

No one in the government was trying to deny that it was a political rather than a transport decision. An angry Sir Bob Reid, chairman of BR, blew the gaff on that yesterday. Mr Rifkind, along with his junior minister Roger Freeman, had passed on the news to Sir Bob and his Channel tunnel director John Palmer at a secret meeting at the Ruskin Hotel in Blackpool on Tuesday afternoon. "I was not shocked, saddened or would be the correct word," said Sir Bob yesterday.

A transport minister admitted privately that if the decision had been taken purely on transport grounds the southern approach would have won.

The decision seems to have been a victory for Mr Heseltine over BR, rather than over Mr Rifkind. There were authoritative and strenuous denials yesterday that there had been a cabinet confrontation between Mr Heseltine and Mr Rifkind.

Mr Rifkind was clearly initially attracted by the BR case that the southern route would be the cheapest, most direct and sensible way into London. But he was not behaving yesterday like a man who had been defeated in the cabinet and sources said it would be wrong to portray him as anything other than content with the decision.

He is a politician first and transport secretary second. He began by backing BR but was said to have accepted the environmental, developmental and, above all, electoral arguments for the eastern route. In the end BR was alone. Mr Rifkind's reward appears to have been an acknowledgement from the Treasury that some public money may have to be committed to the scheme.

The political case, argued most strongly in cabinet by Mr Heseltine, Mr Patten and Peter Lilley, the industry secretary, has been allied with a massive lobbying operation conducted on behalf of Ove Arup for its scheme and by Tory MPs on behalf of their seats.

The eastern approach fits perfectly with Mr Heseltine's dreams of regenerating east London and helping Britain's outer regions. Siting the terminal at King's Cross will show the north and Scotland their billions were being invested not just for the good of the richer South-East.

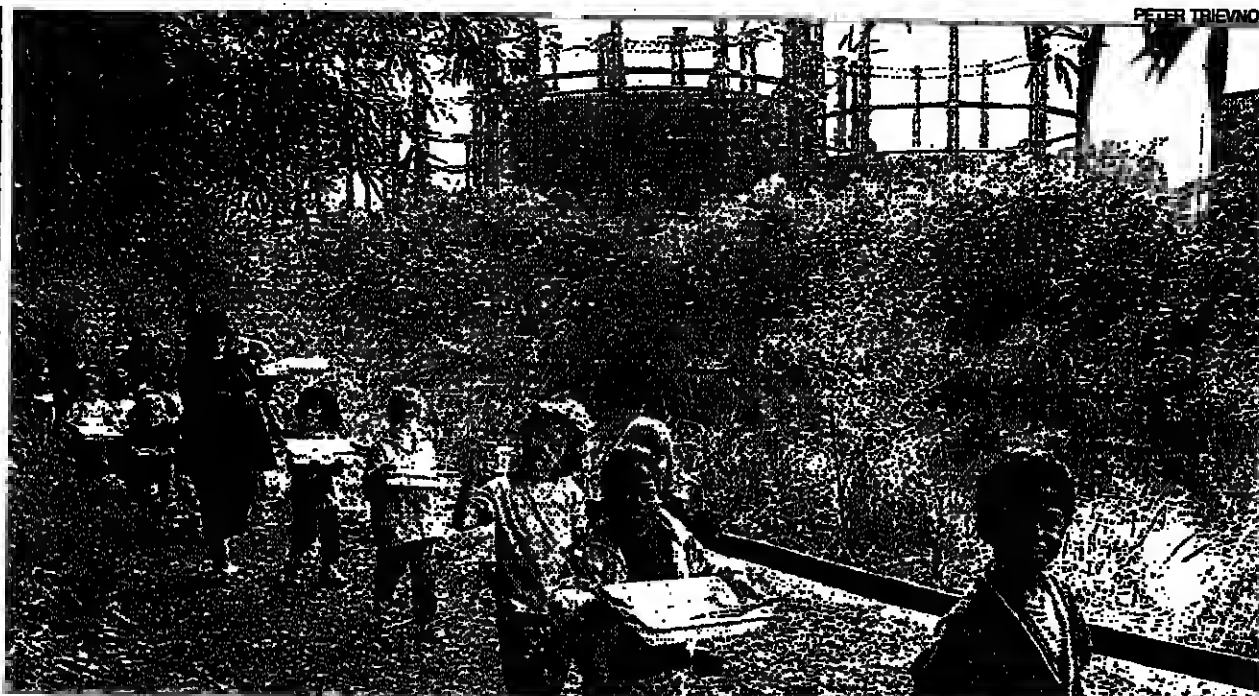
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Tony Ridley, page 14  
Leading article, page 15

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Endangered: Children from Kingsgate infants school, Camden, north London, on a field trip yesterday to Camley Street Natural Park, near King's Cross, which is threatened by the Channel tunnel rail link

## TUNNEL DISMAY Eastern route 'an enormous risk'

By RAY CLANCY

THE government has taken an enormous risk in choosing the eastern route for the Channel tunnel rail link into London, and ensured that the Kent transport system will be a "congealed mess" by saying that the rail system will not be needed until 2005, the British chairman of Eurotunnel said yesterday.

Sir Alastair Morton said he was amazed and dismayed by the chosen route, which went against the advice of British Rail and Eurotunnel. "By slapping down BR's preferred route through southeast London, Mr Rifkind has rejected a fully planned route with detailed engineering research already done. The government has opted for what amounts to a sketchy outline concept," he said.

"This is the most enormous risk. If the eastern route was regarded as being problem-free, why didn't BR pick it as its preferred route?" Eurotunnel, along with SNCF, the French government-owned rail company, has always pressed for the new route to be constructed quickly, arguing that the existing rail network in Britain is unable to cope with the increase in traffic that the tunnel will bring. Sir Alastair has said many times that the route should be ready by 1998 at the latest.

"When they say that the link is not needed until 2005, what they really mean is that they are going to abandon any attempt to provide a route until the next century," he said. "The Kent road and rail system is going to be a congealed mess. There are already several routes in the southeast rail system that cannot cope at certain times of the day."

## Green groups give cautious welcome

By JOHN YOUNG

MR RIFKIND'S announcement met with cautious approval among conservationists, although concern was expressed that the government had not undertaken an environmental impact study of its effect on sensitive areas, as required by British and EC law.

The Council for the Protection of Rural England said the decision to site the rail link through the North Thames corridor was more in tune with countryside protection and planning policies than was British Rail's preferred route.

"It appears that the government has listened to the view of the environmental

bodies, and acknowledged the relationship between the rail proposals and county and regional planning strategies," said Penny Evans, the council's assistant secretary. The council said the rail link through central Keot, with stations near Maidstone and Swanley, would put pressure on the countryside by stimulating housing and business development in sensitive landscapes and habitats.

The more easterly route was not without problems, and the green belt around Dartford and in south Essex, as well as the Thames marshes on either side of the river, had to be safeguarded.

Particular attention should be given to linking the proposed route with the widening of the A2/M2 to minimise the amount of land occupied by transport corridors, Ms Evans said.

Peter Raine, director of the Keot Trust for Nature Conservation, expressed relief that a decision had finally been made. The proposed new stations would be within existing courtyards, and the chosen route would avoid further damage to the Medway valley and to the Gault Clay woodlands north of Maidstone. He regretted both the absence of an environmental impact analysis and the further de-

## BITTER LEGACY

## Londoners mourn loss of community

REACTION to the adoption of the eastern route in parts of south London, highlighted by wholesale house purchases by British Rail in preparation for the route which has now been abandoned, was last night subdued.

Around Warwick Gardens, Peckham, where British Rail had planned a major junction on the rail link, there were few residents left to celebrate. BR has bought 150 houses in the surrounding area, reportedly for an average price of £150,000 each.

Yesterday those families who remained were relieved yet wary, fearing further BR machinations and bitter about

the blighting of an area that had been up and coming.

"We feel like soldiers coming back from a war," Angela Behn, aged 41, co-ordinator of Peckham and Environs Against the Rail Link, said.

"It's been a three-year fight and it has been absolutely exhausting. BR has behaved quite irresponsibly, creating blight in the area. We have had nervous breakdowns, marriage break-ups and suicide threats where people have been unable to cope with the pressure. Couples who don't speak to each other have been forced to live together for two years because they couldn't sell their house."

Gerald Bowden, the local MP, had tackled many cases of anguish, she said: "He never let us down."

She and her husband James, aged 41, have lived in the area for 20 years. They never wanted to sell their home but were 23 yards outside the area designated by BR for voluntary purchase, despite the fact that digging and construction work in nearby Warwick Gardens would have made their lives unbearable. "The details of what happens now have to be worked out very carefully."

Sara and Christopher Cannell campaigned against the rail link for several years before finally accepting BR's offer for their home—initially £35,000 less than they finally accepted. "We didn't want to move," Mrs Cannell, aged 34, said. "Why didn't they make this decision two years ago, before BR destroyed the area?"

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## TUNNEL VISION

## Hold tight for a high-speed guide to east London

By JOE JOSEPH

"LADIES and gentlemen, mesdames et messieurs, welcome to the inaugural journey into London on the new Channel tunnel high-speed rail link from Folkestone to London King's Cross. We have reached Dartford and I will be guiding you through the final leg of our journey into the capital, offering a few cultural insights into London as it passes your carriage window."

No doubt you will have marvelled at the glory of England on the trip up through Kent. We will now veer east a little to avoid the

tricky terrain of southeast London known to geographers as 'electorally sensitive Tory marginals'. Art lovers among you will have swooned at the Channel tunnel station at Ashford, built in 2003 as part of Britain's end-of-millennium celebrations.

We are now approaching Dagenham, an important industrial centre with factories built on reclaimed marshland along the Thames. Our train will cut through part of the production line of the Ford car plant in Dagenham, partly because it was the most direct route, partly to assist pas-

sengers wishing to inspect the latest models with a view to purchasing a Ford Sierra at extra-high British prices.

The land near here used to belong to Barking Abbey, founded in 666 by King Erkenwald, who established his sister Ethelburga as abbess. To commemorate the opening of the Ford factory to high-speed trains, the carriage is bringing out a special edition model, the Ford Ethelburga, available only to Channel tunnel train passengers.

May I remind you the buffet car is serving a full selection of hot and cold food. For those of you who have not visited the buffet car since Ashford, I am pleased to tell you that since we have now entered the EC English Food Demarcation Zone, the menu has been changed from French to English. We are now happy to offer a choice of English specialities, including several flavours of potato crisps, unwashed cress and salad cream open sandwiches, sausage rolls (re-microwaved to order), and, well, that's it.

Oh, an exciting moment coming up. We are entering Stratford, a place whose literary heritage I am sure you are familiar with. Shakespeare wrote some of his best plays here. Though not as famous as his brother William, who lived in the other Stratford, Nigel Shakespeare was a prolific dramatist in his own right.

We are now entering a tunnel for the final approach to King's Cross. Welcome to London. It gets better from now on. Honestly."

## RESIDENTS' REACTION

## Thousands of homes 'will be blighted'

By LOUISE HIDALGO

JOYCE Kempton has to close all the windows of her house when she wants to talk on the telephone. Crockery rattles as traffic rushes along the A2 just yards from her house in Northfleet, Kent.

After yesterday's announcement that the government had chosen the Ove Arup scheme for the Channel Tunnel rail link, Mrs Kempton fears the noise and pollution will be a hundred times worse.

Gravesend Borough Council estimates at least 1,000 homes along the A2 from Gravesend to Northfleet will be blighted by the rail-link. Paul Karrison-Willis, chair-

man of the A2 rail action group, puts the figure nearer to 3,000. "We'll fight to get this decision changed," he said. "Construction work will go on for years. Who on earth will want to buy a house here?"

Gravesend council officers meet today to discuss their response to the decision while, in nearby Barking, the council is worried that a multi-million pound plan to develop Barking Reach looks in jeopardy.

The proposed rail-link cuts through the 880 acres of scrubland the council has designated for the development and also through a proposed nature reserve.



# Income tax cut to 20% 'may take two parliaments'

By ROBIN OAKLEY, POLITICAL EDITOR

**NORMAN** Lamont, Chancellor of the Exchequer, yesterday renewed the government's pledge to a basic income tax rate of 20 per cent. But he warned the Tory conference in Blackpool that it might take two parliaments to reach the target.

Mr Lamont signalled a further fall in inflation this week, saying that he would soon be the first Chancellor in nearly a quarter of a century able to say that Britain's inflation was lower than Germany's. And, in a speech largely devoted to attacking Labour's economic policies and record, Mr Lamont underlined his belief that the recession was ending by claiming "the green shoots of economic spring are appearing once again".

On reaching 20p income tax, he said: "It will take time

— maybe more than one parliament. But we will do it." Claiming that Labour would drag Britain into debt, force up inflation and introduce panic spending cuts, Mr Lamont said that the Conservatives would not only get inflation down but also keep it down. "We want to make Britain a country of permanently low inflation."

There was no conflict between fighting inflation and fighting unemployment, he said. "A country of low inflation is a country of low unemployment." The Chancellor said: "The turn of the tide is sometimes difficult to discern. But it is clear that Britain is coming out of recession. That is not just my opinion. It is the verdict of the IMF, the CBI, the Institute of Directors and numerous surveys of businessmen and consumers up and down the country."

The government had scored a remarkable hat-trick. "We have brought inflation down. We have kept the pound strong and we have cut interest rates," Mr Lamont said that a Labour government would preside over not the body politic but the "body politic". He had counted 283 quangos that they were committed to introduce.

Labour, he claimed, had made eight promises to put up taxes. Small shareholders would have to pay capital gains tax. Taxes on inheritance and gifts would rise. Those living on their savings would face a surcharge. Married couples would pay more. "Everyone earning over £20,300 would face higher tax rates and it would also cost them more to save for their pensions."

Voting Labour at the next election, Mr Lamont said, would be like "handing your cheque book to Neil Kinnock". But he won his loudest cheer for promising that he would not allow the imposition of a single European currency on Britain.



Man of thought: a pensive Norman Lamont, the Chancellor, at the Tory conference in Blackpool yesterday

## Brooke wants new talks

By ROBIN OAKLEY, POLITICAL EDITOR

**PETER** Brooke, Northern Ireland secretary, suggested items for fresh talks on the future of the province, but left the agenda wide open for proposals from the various parties by saying that he had no blueprint in mind (John Winder writes).

Speaking in a debate in which delegates emphasised the new role of the Conservative party in Northern Ireland politics, Mr Brooke said that he had no doubt that one important theme would be the need to improve scrutiny of Northern Ireland legislation as well as the wider relationship between any new institutions there and Westminster. "I do not exclude any proposals in these areas from consideration, but to secure the necessary widespread support they need to be pursued in the wider context of the talks process as a whole."

## Waldegrave will try to defuse Tory health service alarm

Onslaughts on William Waldegrave intensified yesterday and at one point he appeared to falter in the face of Labour taunts, reports Nicholas Wood

**WILLIAM** Waldegrave will try today to defuse growing alarm among Tory MPs and activists over the NHS reforms, which have overshadowed the government's efforts to exploit the conference as a springboard to an election victory.

The pressure on Mr Waldegrave, as he prepared for a speech marking his conference debut as health secretary, intensified yesterday when he appeared to falter in the face of Labour's sustained assault on hospitals opting for self-governing trust status.

Reports that the government is about to halt the next wave of NHS trusts in London went unchallenged as Mr Waldegrave dodged reporters' questions about the future of opting out in the capital. The health secretary said that, while he would be unveiling today an independent com-

mission of inquiry into London's medical services, the Commons would be the first to hear separate announcements about trusts.

St Mary's hospital, Paddington, St Thomas' and St Bartholomew's in central London and King's College in Camberwell are among 118 applications for trust status from April under consideration by Mr Waldegrave. He is expected to give his verdict by the end of the month.

His confirmation that in the run-up to the election, the government is backing away from more trusts in the capital, where famous hos-

pitals face closure because of the fall in the population, drew a gleeful response from Labour. Robin Cook, its health spokesman, said that Mr Waldegrave had made a welcome admission of major error and urged him to apply the lesson more widely. "If opting out is too risky for hospitals in London, why is he taking the same gamble everywhere?"

For the Liberal Democrats, Simon Hughes said that trusts were designed to deal with the problems of London. "If they fail in London, they will fail everywhere."

The health secretary also

found himself embroiled in a separate dispute with Labour after telling a fringe meeting that he wanted charities and voluntary workers to play a bigger role in the running and funding of health care.

In a less politically charged atmosphere, Mr Waldegrave's remarks might have gone unnoticed. However, with Neil Kinnock and Mr Cook staking their reputations on the claim that the Tories plan to privatise the NHS, they triggered another Labour onslaught.

Mr Cook said that the health secretary should stand up to the Treasury and "not wave the flag for flag days". Sources close to the health secretary sought to limit the disclosure that he intends to freeze opting out in London. Denying that the government was getting cold feet about trusts, they insisted that there was no connection between the capital's distinctive problems and the overall picture.

One senior aide said that there would be no slowing down of the trust programme. "Those people who would like to slow down the movement towards trusts are certain to be disappointed. There is a London problem which we are tackling positively."

Tory MPs and ministers looked on in dismay as health, traditionally Labour's strength, again figured prominently on the political agenda. However, Mr Waldegrave, who found himself besieged by waiting television cameramen and reporters when he arrived for a fringe meeting organised by the Tory Reform Group, showed few signs of the pressure he was under.

He said he was delighted by Labour's "privatisation smears". Mr Kinnock and Mr Cook had made a "historic mistake" by attaching themselves to a "falsehood".

Letters, page 15

## BR urged to let in private firms

By PHILIP WEBSTER, CHIEF POLITICAL CORRESPONDENT

**BRITISH** Rail was urged yesterday to open up its services and tracks to private operators ahead of legislation forcing it to do so.

Malcolm Rifkind, transport secretary, repeated his pledge to repeal British Rail's legal monopoly as an early priority in the next parliament, but he asked it to agree to voluntary steps now.

He also promised that the government intended to start the "substantial privatisation" of British Rail during the next

**RAILWAYS**

parliament, making plain that there would be parts of the network, such as loss-making rural lines, that would stay in the public sector.

Mr Rifkind said that British Rail was being asked in advance of legislation to take four steps:

- to respond positively to any reasonable proposal from the private sector to introduce new freight or passenger services;
- to "deal fairly" with private operators in charging for the use of British Rail track or other facilities;
- to allow private operators to use their own locomotives in future; and
- to allow private operators to employ their own crews.

Mr Rifkind said: "All these changes can be made now, without the need for legislation and with British Rail's co-operation. I very much hope they will respond positively. They share with me a common desire to see our railway infrastructure fully utilised in the national interest."

He added: "I am enthusiastic about getting more freight off the roads and on to rail. I would like to see new passenger services attractive to the public as well as to the operator. To achieve this we must remove any unnecessary legal restrictions or antiquated rules that prevent new operators coming forward to provide new freight or passenger services."

"As long as any new operator meets the safety and other necessary technical requirements, there is no reason why they should be prevented from competing with British Rail."

Rail link, page 5  
Tony Ridley, page 14  
Leading article, page 15

## Howard pledges work creation

By JOHN WINDER

**THE** unemployed were given a pledge by Michael Howard, the employment secretary, that the government's policies would create a record number of jobs in the Nineties as they had in the previous decade.

Mr Howard coupled his promise with a fierce attack on Labour policies, particularly the minimum wage, saying that the only thing that Labour could promise unemployed people was reinforcements.

Winding up the employment debate, Mr Howard said that Conservative policies had

**EMPLOYMENT**

created almost three million jobs since 1983, and already had a wider range of measures to help unemployed people back to work than ever before.

The government worked to cut unemployment, but Labour would price, strike and tax people out of work, and, under them, unemployment would rise sharply, as it had under every Labour government since 1924.

Mr Howard said that the network of training and enterprise councils was complete; that next week he would make the first training awards, "Investors in People", and announce the commitment of hundreds more companies to it; and that an independent survey had shown that 92 per cent of employers had maintained or increased off-the-job training since last year.

The Conservatives encouraged small businesses, and there were now 400,000 more businesses than in 1979, but Labour, under its minimum wage proposal, would jail a small businessman who paid less than that minimum. "Where we help small businesses, Labour would harass them, and where we want to fill our country with small businesses, Labour want to fill our prisons with people who run small businesses."

His department had calculated that a statutory minimum wage could destroy up to two million jobs.

Murdo Fraser, national chairman of the Young Conservatives, said that no level of youth unemployment should be acceptable to any government, but it was not an excuse for riots.

Sebastian Coe, prospective parliamentary candidate for Falmouth and Camborne, said people should not have to leave Cornwall to work.

## Joyriders will face two-year prison sentence

By RICHARD FORD, POLITICAL CORRESPONDENT



**A** NEW offence to combat joyriding was announced by Kenneth Baker yesterday as he tried to reassure the conference that the government was committed to tough law and order policies.

The home secretary also told representatives that an additional 1,000 police officers would be provided from next April and that a new offence of prison mutiny would be created with a maximum additional sentence of ten years. The penalties for aiding and abetting escapes will be increased to ten years, he added.

Mr Baker signalled measures to deal with the huge increase in numbers seeking political asylum and to crack down on the abuse of the system by those claiming to be refugees. An asylum bill will be included in next month's

Queen's Speech to create a quicker method of deciding which applicants are genuine refugees and which should be returned to the country from which they came.

The new offence to deal with joyriding is likely to be described as the aggravated criminal taking away of a car. It will carry the penalty of automatic disqualification and an unlimited fine as well as a possible maximum two-year prison sentence. The present maximum sentence for taking and driving away a car is six months.

Mr Baker's announcement came after recent inner-city riots which have been closely linked with car crime. The home secretary's announcement was greeted with ap-

plause, but a few representatives demanded tougher action and shouted "Not enough".

The home secretary's decision reverses changes made by his predecessor, Douglas Hurd, in the 1988 Criminal Justice Act which made taking away without consent a summary offence. The new offence, which will be triable at either magistrates' or crown court, is intended to deal with people who enter a car, wreck it or set it on fire.

Last night, the National Association for the Care and Resettlement of Offenders, criticised the proposed new joyriding offence: "It is naive to think that if a six-month maximum sentence does not deter young people from this offence, the possibility of a longer one will miraculously do the trick."

## Space above shops should be rented

**AS** PART of its policy to provide more homes to rent for those who want them, the government is trying to bring more flats above shops back into the market.

Sir George Young, the housing minister, told representatives that a third of space above shops is unused or underused — often in the most convenient part of town. The government was therefore making available £25 million in grants over three years to bring this accommodation back into use.

Sir George attacked Labour over its negative attitude to the private rented sector and

pointed out that now the rent acts had been repealed more and more private properties to let were available. Last year the number of new tenancies roughly equalled the number coming to an end. That was a turning point.

## Debates today

This morning debates are on the citizens' charter (9.30); health and community care (10.25); and local government and the inner cities (11.25). This afternoon, there will be debates on defence (2.20); trade and industry (3.30); and social security (4.30).

## CONFERENCE DIARY

### Doldrums for the right

**T**he sight of Norman Tebbit and Cecil Parkinson preparing to bow out from the political scene at their last conference fringe meeting together was too much for one right-winger yesterday. "It's too soon to hang up your fighting boots, Norman," he cried to general approval. But there will be no comeback for the two election-winning party chairmen of the Eighties and with Margaret Thatcher reduced to a walk-on part, the right is still searching for a leader.

It is proving a barren quest. Michael Forlino and Francis Maude, two of the sharper minds outside the cabinet, are too young to register widely, and Peter Lilley is making little headway at the industry department. Norman Lamont, judging by his less than enthusiastic reception yesterday, has yet to strike up a rapport with a party faithful still bruised by the recession.

Only Michael Howard appears to be advancing his

case. On Tuesday at a fringe meeting, he lodged an unmistakable claim for the Thatcherite inheritance, urging the party to hold fast to the radicalism of the Eighties.

"If, and only if, we have the courage to press ahead with reform, this party will succeed in the Nineties as we did in the Eighties," he said.

Cecil Parkinson took a calculated risk when he spoke after Norman Tebbit at a fringe meeting of Conservative Way Forward, a group dedicated to keeping alive the flame of Thatcherism. The dangers of speaking second were made clear when Parkinson recalled the local Tory branch he and Tebbit founded in Hemel Hempstead 30 years ago. At one particularly noisy meeting Parkinson was constantly heckled by a fat woman. He thought he had solved the problem when the woman walked out in response to his enquiry: "Madam, have you ever considered slim-

ming?" He left the stage just in time to see the furious woman return and start pelting the next speaker with tomatoes.

Margaret Thatcher gave her full backing to John Major yesterday during a 25-minute walkabout in which she signed autographs and predicted a good majority at the next election.

Arriving suddenly among representatives in a side room some hours after prompting an ovation in the conference hall, she insisted that she had not wished to make a speech. "No," she told reporters, "It is the prime minister's conference. Not mine. We must all rally round and support him."

Her anxiety not to appear to steal the limelight was clear throughout her visit. When an admiring party member said, "We could not have done without you, Mrs Thatcher," the former prime minister responded firmly. "We did it all together," she said.

**BY** RELEASING news that there would be no November contest before his party conference John Major avoided the week being dominated by frantic speculation on the possible dates. The way it has turned out, that might have been the better alternative.

In spite of being in government, the Conservatives have failed to dominate the agenda. Instead, they are spending their time in frenzied pursuit of Labour and media hares. The public relations is going awry and their tensions are showing. Facing a conference platform which makes the hierarchy look all at sea, the Tories are starting to live up to it.

The problem is, one seasoned MP observed, that the killing of November has removed all discipline. If they had still been waiting on tenterhooks until Friday all sections of the party would have been on their best behaviour in case the election was about to start.

Instead, with the contest months over the horizon, Edward Heath has felt free to assault Mrs Thatcher and the privatisation programme. Right wingers at the Conservative Way Forward meeting, devoted to keeping alive the Thatcherite flame, felt free to hiss every mention of Mr Heath's name.

Norman Tebbit, who was never

## Oh for the certainty of Thatcher's day!

By ROBIN OAKLEY, POLITICAL EDITOR



Tebbit: called for referendum after Maastricht

much inhibited anyway, has felt free to start advocating a referendum after Maastricht. And everybody has felt perfectly free to let it all hang out over Europe.

While Labour has become bland and biddable, the Tory conference has started developing a mind of its own. The conference chairman only just held the line when they greeted Mrs Thatcher. One movement from her

and they would have stormed the ramparts. The lesson is that while John Major may have settled the parliamentary party long ago, the Tory party in the country, or at least that part of it now in Blackpool, remains unmollified.

On the first day the normally imperturbable prime minister let his irritation show at facing a battery of questions on the future of the National Health Service. A leak about a possible slowdown in the hospital opt-out programme, and the agitated reaction of Tory ministers and officials late at night on Tuesday, ensured that health services issues continued to dominate just when the government wanted to switch attention to the economy.

And while John Major may have won public approval for his announced determination to keep Britain at the heart of Europe he is faced by a conference in which the Euro-sceptic tendency is a dominant factor.

Such is the respect and affection for Douglas Hurd, one former party dignitary observed, that he could have probably walked on the platform, said "I'm afraid I'm too busy to make a speech" and been chauffeured off to the nearest airport with applause still ringing in his ears. But when he did speak there was a noticeable silence through the passages where he gave a warning to them that, on problems like Yugoslavia, Britain could not do

anything on its own any more, but now had to work in concert with the European Community.

Around the bars, Tories who would greet you in the past with a self-confident blast of opinion are now inquiring a little nervously: "What do you think of it so far?" And there is clear regret that there has not been more effort to make this more like 1986, when momentum was regained by having every minister on the rostrum come up with a string of new policy announcements. Bashing Labour as a high-tax party only goes so far.

Of course, there always have been passionately argued strands of opinion within the Tory ranks. There have been tensions before, on issues like capital punishment or immigration. But the party is failing to make a virtue of that in the face of Labour's newly regimented blandness. And there is this time about the Tory conference an unaccustomed twitches.

Only Chris Patten, the party chairman, has revealed star quality so far this week. And the yearning for the certainties of the Thatcher days is palpable. John Major has here a party which is crying out to be picked up, shaken, and set down again with clear orders which way to march. The pressures to deliver in his first conference speech as leader are mounting to an almost unbearable level.



# "THE WORD 'DOG' NEVER BIT ANYBODY."

ARISTOTLE

## EDITORIAL

### Court favours free commercial speech

Federal law banning cigarette ads violates charter rights to free speech and is an intrusion into provincial jurisdiction over regulation of advertising, according to the ruling of the Supreme Court.

Financial Post

### Judge rules against ban on tobacco ads

ban on tobacco ads. The Supreme Court ruled that the ban on tobacco advertising in newspapers, magazines, or on radio and television, which went into effect Jan. 1, 1989, is unconstitutional. The law gives from Jan. 1, 1993, to get rid of all in-store advertising. The ruling will probably be appealed to the Supreme Court.

Ottawa Citizen

*Advertising is not the same as the product it sells.*

*It may seem obvious, but opponents of smoking often miss the point.*

*Brussels doesn't approve of smoking, so it's trying to ban advertising of tobacco.*

*The silliness of this position (as well as its unfairness and its essential*

*undemocratic nature) was highlighted in July's Canadian court judgement.*

*The court found no proven connection between tobacco advertising and overall tobacco consumption. And no proof that banning advertising reduces consumption.*

*In fact, the court struck down Canada's tobacco advertising ban as*

*"a form of censorship and social engineering which is incompatible with the very essence of a free and democratic society."*

*In Canada, the word "dog" doesn't bite. In Brussels they think it does.*

**TOBACCO ADVISORY COUNCIL**  
Hear the other side



## Truce brings tense calm to battlefields throughout Croatia

From Anne McElvoy in Zagreb

THE battlefields of Croatia were tense but quiet yesterday after the breakaway republic and the Yugoslav army agreed on a new ceasefire — the eighth in as many weeks. Dirk van Houten, the head of the European Community monitoring mission in Yugoslavia, described the deal as having "prospects for working which are better than the many ceasefire agreements we have signed before".

In an attempt to consolidate the ceasefire, Franjo Tudjman, the Croatian president, Slobodan Milosevic, the president of Serbia, and General Veljko Kadijevic, the federal defence minister, will meet Hans van den Broek, the



Dutch foreign minister, in the Hague today. Croatian forces agreed late on Tuesday to lift their blockade of federal army barracks and allow the forces inside to leave with their weapons and equipment. Supplies were yesterday on their way to federal forces besieging towns across the republic.

General Andrija Raseta, the federal army's deputy commander in Zagreb, said that his forces would be allowed to leave the blockaded Boranj barracks tomorrow. But he indicated that the federal forces intended to consolidate in strategic positions throughout Croatia and indicated that there would be no withdrawal of the army from the republic.

The statement augurs badly for a lengthy ceasefire as the army now appears to be planning to concentrate their efforts outside Zagreb, targeting areas which they believe they can hold rather than risking guerrilla warfare in the city.

The army has promised to lift a sea blockade of seven key ports, including Dubrovnik.

The first ship to leave the port for more than a week docked at Split, further up the Adriatic coast, carrying 200 patients from the Dubrovnik region, which has had no water or electricity supplies. A spokesman for the Red Cross said that the kidney dialysis patients on the ship were "very sick".

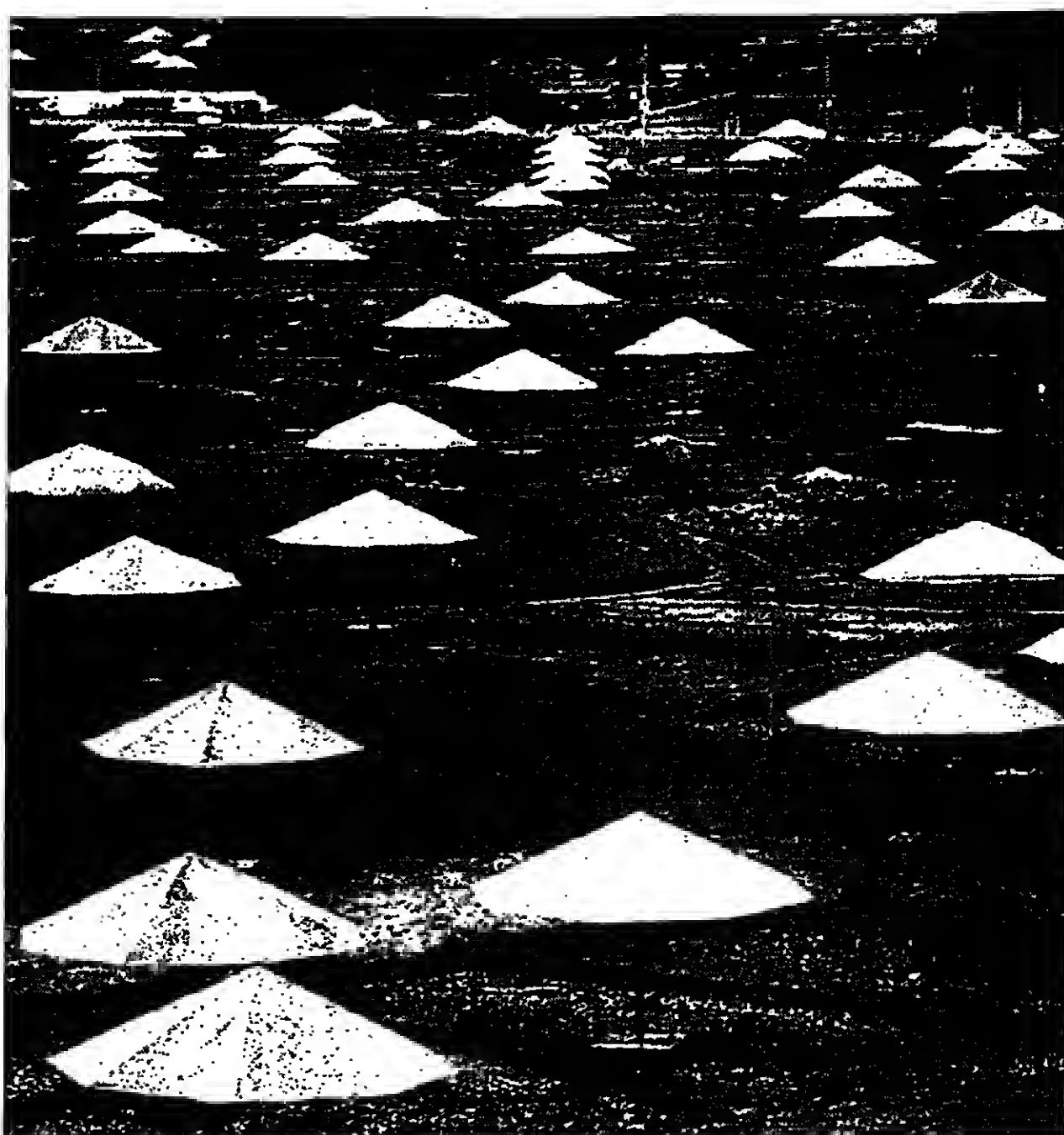
Outside the Boranj army barracks in Zagreb, which has been blockaded for a month, the Croatian national guardsmen were clearly angry at the deal done by their leaders. "The army will just take out the weapons from here and use them to attack us somewhere else," said Vlasto Juric, in charge of the main road-block leading to the base. "It is very bad news for us. If we had our way we would let them take their boots but nothing else."

By late afternoon yesterday there was still no sign of the Croatian forces lifting the blockade at the base although the delay was probably tactical. Outside the bullet-ridden gates, a young federal conscript said that he hoped the ceasefire would last long enough for the 600 soldiers inside to leave. "We are very short of food and we have been allowed to sleep only two hours a night," he said before being hustled back inside by an officer.

There is perhaps the strongest will so far on both sides to halt the fighting which has spiralled out of control in the last week, culminating in the air strike on Zagreb on Monday. But the agreement fails to include the Serbian guerrillas, backed by the federal army but often inclined to launch their own attacks on disputed Croatian areas. Yesterday sporadic shooting was reported around Osijek in eastern Croatia and an attack lasting several hours took place.

General Raseta, asked whether he thought that the ceasefire would last, gave an answer which combined optimism and peculiarly Balkan perversity: "The last seven ceasefires have failed," he said, "so I think that this one will hold."

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Leading article, page 15



Umbrellas reign supreme: giant broilies sprouting from paddy fields in Hitachi-Ota, 75 miles north of Tokyo. Heavy rain had delayed the opening of the 1,340 blue umbrellas, the handwork of Bulgarian born artist Christo

## Moscow ministers resign over squabbles on draft treaty

From Charles Bremner in Moscow

THE feuding among Russian ministers intensified yesterday with the resignation of two deputy premiers and a warning from Boris Yeltsin's vice-president that the giant federation was gripped by anarchy.

Igor Gavrilov and Yevgeni Saburov walked out of the cabinet hours after Aleksandr Rutskoi, the vice-president, complained that Russia's government was adrift in the absence of Mr Yeltsin, who is resting in the Crimea. "We adopt lots of laws but do one

obeys them, since there is no mechanism for governing the state and enforcing the law," Mr Rutskoi said. "As a result, anarchy is descending on the country." The immediate cause of Mr Saburov's departure was opposition among sections of the Russian leadership towards the draft treaty for a loose union which he, as economy minister, had negotiated and initiated for the federation in Alma-Ata last week. Echoing a growing feeling that Russia was being too generous to the smaller republics and had little to gain from any new union, Mr Rutskoi said the federation was being treated as a milk-cow for non-Russians. The proposed economic community was little more than a scheme for preserving the power of a superstructure of central power to which Moscow would be subordinated, he said.

The squabbling among ministers brought fresh charges from media commentators that Mr Yeltsin's absence was fostering a dangerous vacuum and also undermining work on drafting the outlines of a future economic and political confederation. The *Independent* *Gazette*, which has emerged as one of the most influential newspapers in recent months, said "the absence of Yeltsin has thrown the future of the Alma-Ata accord into doubt" and it asked when the president would return. Russian officials said Mr Yeltsin was expected to return to Moscow before the weekend.

Calls for Russian independence, a move that would destroy any notion of a power-sharing confederation, have been mounting in recent days from leading Democratic reformers in Moscow. "Russia is facing a choice: to be or not to be," said Sergei Stankevich, the Moscow deputy mayor. "The main thing is that Russia should become a nation. Immediately and without delay. A full-fledged nation with a capable government and all necessary powers and it should conduct negotiations with all the republics from this fully independent stand." Mr Yeltsin has not pronounced on the draft treaty, which was initiated by 12 republics, but which has drawn strong reservations from the Ukraine.

## Soviet spying alleged

From Reuters in Oslo

NORWAY is to expel up to eight Soviet diplomats for spying, the conservative daily *Aftenposten* said yesterday.

The newspaper, citing unnamed sources, said Oslo wanted to expel the diplomats on the basis of information given by an alleged KGB agent who left Norway to apply for political asylum in the West last May. *Aftenposten* said

Mikhail Butkov, aged 33, had told Norwegian intelligence that several Soviet diplomats at the Oslo embassy were acting incompactly with their diplomatic status.

The Norwegian foreign ministry declined to confirm or deny the story. "I have no comment," the ministry spokesman, Bjørn Blokhus, said.

## Baltics envoys named

By Anatol Lieven

BRITISH ambassadors have been appointed to the three newly independent Baltic states, the Foreign Office announced yesterday. For months to come, however, the three men will be living in hotels while buildings for the embassies are found.

In principle, this could be done by returning the buildings of the British mission to the Baltic states before 1940, confiscated under Soviet rule. In the Estonian capital Tallinn, however, the old mission is now occupied by the Red Cross, "and obviously, we are not going to evict them," a British diplomat said.

In Riga, the offer by the Latvian government to return the former embassy building highlights the change both in Britain's international position and in that of Latvia since 1940. Until that year, Riga, known as the "Paris of the Baltic", was an important centre of British trade and influence, with a large and historic British merchant community and an Anglican church (now a students' club). It was also an important point for the observance of Stalin's Russia, across the eastern frontier.

The British mission was consequently housed in a majestic neo-classical building in the city's historic centre. This is likely to be much too large for the new British embassy which, according to the Foreign Office, is likely to be extremely small.

The new ambassador to Riga, Richard Samuel, and to Tallinn, Brian Low, have both worked in the embassy in Moscow. Michael Peart, appointed to Vilnius, has served in Warsaw.

## Bickering threatens European accord

From George Brock in Brussels and Tom Walker in Strasbourg

PERSONAL disputes are souring the atmosphere of the European Community's political union negotiations as the Maastricht summit deadline in December approaches, making completion of a new EC treaty increasingly unlikely.

Hans van den Broek, the Dutch foreign minister, whose patience is already strained by leading the EC's attempts to pacify Yugoslavia, has fiercely criticised the French and German foreign ministers for inviting other governments to a meeting in Paris on Friday to force the pace over what the treaty should say about a future EC defence policy. The French and German ministers will have lunch with their Spanish counterpart but are thought unlikely to issue any rallying calls of the kind which have often set the community's agenda in past years. Dutch ministers remain unimpressed by French claims that a routine meeting was all that was ever planned.

Jacques Delors, the EC commission president, yesterday came to Mr van den Broek's aid and told the European parliament: "I deplore the conditions under which the Dutch presidency (of the EC) has laboured. These are not consistent with the family atmosphere. Last weekend was another example of how nobody's perfect."

The last remark was a veiled criticism of Roland Dumas, the French foreign minister, who made a crude attempt to seal the Dutch government's limelight at the end of a foreign ministers' meeting last Sunday. M Delors and M Dumas are senior figures in the French socialist party and to hear them bickering in public is an indication of the depth of the pessimism that now exists about signing an agreement in Maastricht.

In spite of the defeat of a radically federalist draft treaty prepared by the Dutch government, the possibility of an



Van den Broek: criticised French and German eventual defence policy remains a divisive issue.

On defence, the balance of votes is swinging against France. Britain, backed by Italy, some smaller countries and a Nato decision, is proposing a text which would allow for EC defence alongside Nato. America, originally worried about a potential EC caucus inside Nato, has relaxed its objections. France, still formally supported by an ambivalent and uncertain Germany, wants EC defence outlined in the treaty, but clearly separated from Nato and America. Mr van den Broek, who chairs the political union talks and is a vocal Atlanticist, is looking for a compromise.

## Troubled French seek magic solutions

From Philip Jacobson in Paris

FOR a nation supposedly anchored in the rationalist traditions of Descartes and famously pragmatic about the everyday business of life, the French have surprising faith in the world of the occult. To judge by a recent opinion poll, close on half the population, with women in the clear majority, believes in *voyance*, for which read everything from astrology, numerology, and second-sight to palm-reading and the tarot.

At the tenth annual Salon de la Voyance, staged at an elegant Paris hotel earlier this month, believers were pushing to get at the 30 eminent clairvoyants on call (the £20 entrance fee included a free consultation). In a few days time, hundreds will embark on a Caribbean cruise — best cabins from £3,500 — with a hand-picked team of mediums, cabalists, and necromancers available around the clock.

For those wishing to explore the supernatural at more modest expense, the yellow pages list a variety of mystical services available through France's Minitel videotext network, with rates starting at around £1.50 a minute. Further still

worth a cool £10 million a year, and that takes no account of the substantial amounts pocketed by more unscrupulous practitioners.

The ease with which wandering seers from West Africa can separate normally hard-headed folk from their money is breathtaking. In the little town of Vesoul, deep in the Jura region, gullible locals have fallen for the most basic of confidence tricks three times in recent years. One visitor persuaded townspeople to deposit cash in his magic suitcase where, following the requisite sorcery, it would multiply many times to the benefit of all (he and suitcase were last seen leaving town).

Naturally, such deplorable conduct is condemned by the carriage end of the market, where clients are drawn from among the greatest in the land, politicians definitely not excluded. For Chantal Mignon, head of an association representing a dozen

prominent masters of the divining arts, the very word "occult" is unacceptable.

"Most of our clients are looking for a magic solution to their problems," she told the newspaper *France-Sol* with commendable frankness. "but we are not sorcerers, we simply offer a different approach from consultants in reality." If the claims of Serge Arias are to be believed, even President Mitterrand has sometimes requested guidance.

It follows that attempting to debunk practitioners is a popular sport, leading to the publication of furious manifestos with titles like "An essay on modern occultism". There is a helpline, SOS-Paranormal, for those who run into trouble — usually of a financial nature — with their soothsayer but are apprehensive about breaking things off in case eternal bad luck, or even worse, should be wished upon them in revenge.



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# Reform-minded Cuban communists map out life after Castro



Castro: given two or three more years in power

FIDEL Castro, who as a young man forced the world to look into the abyss of nuclear war in the Cuban missile crisis of 1963, today presides over his fourth and perhaps last party congress. He turned 65 a few weeks ago and the years are drawing in on his career.

The withdrawal of Soviet troops, the imprisonment of Dr Castro's closest allies after the failed Moscow coup and the collapse of the Cuban economy give his enemies cause to gloat. Yet it is too early for Cuban exiles in the United States to put the champagne on ice.

The party powerful gathering in Santiago de Cuba for the three-day congress will for the first time ponder life after the Maximum Leader. Even stalwart Fidelistas are said to give the president at most two or three more years in power. The congress, with 1,800

The fourth party conference in Havana may well be Castro's last. Behind closed doors, the debate will be fierce as Cuba contemplates change, Eve-Ann Prentice writes

delegates, is expected to be highly charged as it thrashes out political reforms designed to oust Dr Castro. Changes to be formally adopted by December's national assembly are said to include plans for religious freedom — the end of the Communist party ban on believers — and moves to include more ordinary party members in decision-making. The congress is also likely to question the leading role of the party in Cuban life. Small businesses, including dentists and solicitors, may be allowed to go private.

The reforms, though dwarfed by

the political upheavals among Cuba's erstwhile allies in the Soviet Union and Eastern Europe, are likely to provoke fierce debate. Havana has made sure that few if any outsiders witness the party's soul-searching. Foreign journalists who were to report on the congress had their visas withdrawn last week, and even diplomats based in Havana and friendly foreign observers have been barred.

Cuba faces a hostile world with the American trade embargo unrelieved by the moral and economic support Havana has had from Moscow since Dr Castro came to

power. The Soviet Union is said to subsidise Cuba to the tune of £2.9 billion a year through deals where underpriced oil is swapped for overpriced sugar. This is now in jeopardy. President Gorbachev did not even give Havana advance warning of his announcement last month that 11,000 Soviet troops would leave Cuba.

In June, before the Soviet coup attempt, Boris Yeltsin, the Russian president, was asked about aid for Cuba and said: "Considering the fact that 40 per cent of our people now live below the official poverty line and that charity should begin at home, our Supreme Soviet has decided to terminate all assistance." The threat has not been implemented but Cuba knows that the Soviet economic cushion is in danger of slipping from under it.

Dr Castro also faces an un-

pleasant side-effect of his adventurist foreign policies. About 40,000 Cuban troops have returned from Angola, floating an army that has nowhere to go. At one time Dr Castro had forces in Vietnam, Yemen, Nicaragua and Ethiopia. Now the Cuban leader must stop dissent in this privileged but under-employed force of 100,000. The troops are back at base, not only faced with a dreary daily routine but also charged with keeping the civilians under control. Many members of the military have been drafted into neighbourhood watch committees for the defence of the revolution. All this seems to point to a bleak prognosis for Dr Castro. But the problems have to be balanced against the nature of Cuba's revolution and the cunning of its leader.

Dr Castro was not caught by

surprise when revolution swept Eastern Europe. Even at perestroika's birth in 1985, he began criticising President Gorbachev and issuing warning of the dangers of liberalisation. He has spent the past five years planning for a possible collapse of the Eastern bloc by increasing ties with China and Latin America.

At home he used emergency measures to drastically reduce the use of oil. Coal and wood are burnt instead. China is now the second largest buyer of Cuban sugar and trade with Peking tripled between 1987 and 1990. Cuba has also exploited relations with Argentina, which it supported during the Falklands war. Cuba's revolution also differed from communism in Eastern Europe. It needed no foreign intervention and Dr Castro is still regarded with awe by many at home.

## Three battle for backing to succeed Kaifu

From JOANNA PITMAN in TOKYO

THE race for the premiership of Japan was wide open last night after the ruling Liberal Democratic party's largest faction, Takeshita, failed to nominate a candidate.

Shin Kanemaru, the former deputy prime minister, and Noboru Takeshita, the former prime minister, had used all of their political guile to persuade Ichiro Ozawa, aged 47, the secretary-general of the party, to contest the leadership despite him having had a heart attack. But even the suggestion that it was his duty failed to move him.

A battle for Mr Takeshita's backing is now underway between the three party men who declared their candidacies at the weekend: Kiichi Miyazawa, a former finance minister, Michio Watanabe, a former minister of international trade and industry, and Hiroshi Mitsuoka, a former foreign minister. Who ever receives the nod from Mr Takeshita will be the job.

LDP leadership campaigns involve "bowing missions" to MPs said to have the ear of Mr Takeshita, visits to Shinto shrines and daily pilgrimages to Mr Takeshita himself. The wily Mr Takeshita is in no hurry to make up his mind, for with every passing day each candidate offers yet more generous pledges of cabinet posts and party positions in the next administration. "Mr Takeshita will be after control of the finance, construction and trade and industry portfolios because these three

guarantee hundreds of billions of yen in donations from their wealthy constituents," said Kaoru Okano, professor of politics at Meiji University.

There seems to be little to divide the three men. Mr Miyazawa, aged 72, and the favourite to win, has pledged to make Japan "a decisive but modest country... that will participate in the creation of the new world order and put emphasis on peace, freedom, prosperity and fairness". He probably has the highest international profile of the three and advocates political reform, a strong relationship with the United States and emphasis on the environment.

Mr Watanabe, who is 68, is selling himself on his *giri* *ninjo*, a peculiarly Japanese concept of loyalty and accessibility to the common people. His platform is centred on political reform, strong links with the United States and cleaning up the environment. Mr Mitsuoka has called for "a brave but peaceful nation that will have common ideas with the international community" and has pledged to work on political reform, ties with the United States and environmental issues.

Further common ground lies in their links with money scandals. Mr Miyazawa and Mr Watanabe were linked to the Recruit bribery scandal; and Mr Mitsuoka has been plagued with revelations involving reported financial links with gangsters and unregistered financial donations.

## Senate delays vote on judge

From SUSAN ELLICOTT in WASHINGTON

IN A potentially bruising setback to the White House, the Senate has decided to postpone for at least one week a vote on President Bush's choice of a black conservative to fill a seat on the high court bench. The delay will permit Congress to hold public hearings on allegations of sexual harassment against Clarence Thomas by a former personal assistant.

Judge Thomas has denied the accusations, which emerged on the eve of his expected confirmation as a seat on the bench. His supporters have accused Democrats of orchestrating a smear campaign to derail the naming of a black conservative to the Supreme Court because they oppose his suspected anti-abortion views.

But Anita Hill, a law professor in Oklahoma, claims that her decision to go public is not politically motivated. She gave a composed press conference earlier this week after a New York newspaper and a Washington radio station reported details of an affidavit of hers swearing that Mr Thomas verbally pressed her to go out with him when they were colleagues in the Reagan administration. When she refused, she said Mr Thomas talked about his preferred sexual positions and pornographic films.

Rarely has a disclosure to



Centre stage: Anita Hill arriving at the University of Oklahoma law school where she is a professor. She was escorted to her class by two students

the press of such a document unleashed so many grievances. Activists for women's groups have complained that male senators bungled their handling of Ms Hill's allegations by dismissing them as trivial. Among the most embarrassed characters in the drama are the members of the Senate panel responsible for judging Mr Thomas's nomination last week. Members of the committee, including one of the judge's most outspoken Democratic detractors, knew about the sexual harassment accusations two

months ago. But they said that they wanted to honour Ms Hill's request for anonymity and a two-day enquiry by the FBI found no reason to pursue the matter.

Women's groups, however, have accused the senators of being reluctant to tackle an issue that is as murky as the

debate over what constitutes date rape. Women are arguing that men are often insensitive to their complaints because they mistakenly assume that sexual harassment must involve physical contact. Many are also angry that the Republican backers of Mr Thomas are trying to discredit Ms

Hill's statements by drawing on her decision to follow her boss to a second job and to stay in contact with him last year.

Female lawmakers, headed by Democratic congresswoman Pat Schroeder of Colorado, marched to the Senate leader's office on Tuesday to

accuse the white, male-dominated Senate of trying "every way to gag us". Male politicians, meanwhile, have rushed before the television cameras to try to convince their female constituents of their undying sympathy for "the problem of" sexual harassment.

## Governor calls for patience

From JONATHAN BRAUDE in HONG KONG

SIR David Wilson, the governor of Hong Kong, yesterday urged the colony's legislative council to co-operate with China and to give his government a chance to function effectively. In a clear warning to the 18 councillors returned in the colony's first direct elections last month that defiance of Peking would be counterproductive ahead of the handover to Chinese rule in 1997, Sir David called for tolerance and patience.

As 10,000 Vietnamese boat people in Whitehead detention centre demonstrated for the third successive day against repatriation to Vietnam, the governor also called for more talks with Hanoi on a programme to deport those who are not bona fide refugees.

## Peking rebukes Taiwan

By DAVID WATTS DIPLOMATIC CORRESPONDENT

PEKING has told Taiwanese independence activists that they are "playing with fire", and obliquely accused the United States of trying to destroy China.

President Yang Shangkun could scarcely have illustrated more graphically China's sensitivity about world change from which it is isolated than in a speech yesterday marking the republican revolution of 1911 which appeared to mark a new low in relations between Peking and Taipei.

"Recently the forces working for independence on the island of Taiwan have become swollen with arrogance. In attempting to split the country and the nation, they are trampling upon the will of the compatriots on both sides of the Straits," he said.



Thrust into power: Joseph Nerette, with General Raoul Cedras, taking the salute after he was inaugurated yesterday as Haiti's provisional president. However, pressure remained to reinstate Father Jean-Bertrand Aristide (AP reports). The Organisation of American States condemned the appointment and called for a freeze on Haitian assets and a trade embargo.

## Elephants suffer in conservation victory

From CHRISTOPHER THOMAS in DELHI

INDIA is running out of space for its 20,000 wild elephants. It is a problem of success: poachers have been largely driven out of business, the country's 6,000 professional ivory carvers have been persuaded to switch to camel bone and even plastic, and the elephant population is booming.

The ivory trade in India is all but dead: large numbers of unsold ivory Taj Mahals in expensive stores demonstrate that the well-to-do no longer want such tainted ornaments. The coup de grace for the ivory trade came on October 2, when a law banning the use of imported African ivory took effect.

Pressure has grown in Africa to end the worldwide ban on ivory sales, and CITES, the Convention on International Trade in Endangered Species, is likely to recommend in March a resumption of ivory trading by five southern African states. This will have little effect on India, however, which faces the stark choice of

ordering an elephant cull or once again allowing wild elephants to be captured and tamed for showmanship and work. Neither is an attractive proposition in a country which regards elephants with such reverence: Ganesh, the most popular Hindu god, is elephant-headed.

Those opposed to culling say that a 1977 law banning the domestication of wild elephants should be lifted, enabling the animals to be put to work in forests, where they are already widely used for loading felled trees. Only elephants born into captivity can be legally used in this way, or for weddings and other celebrations.

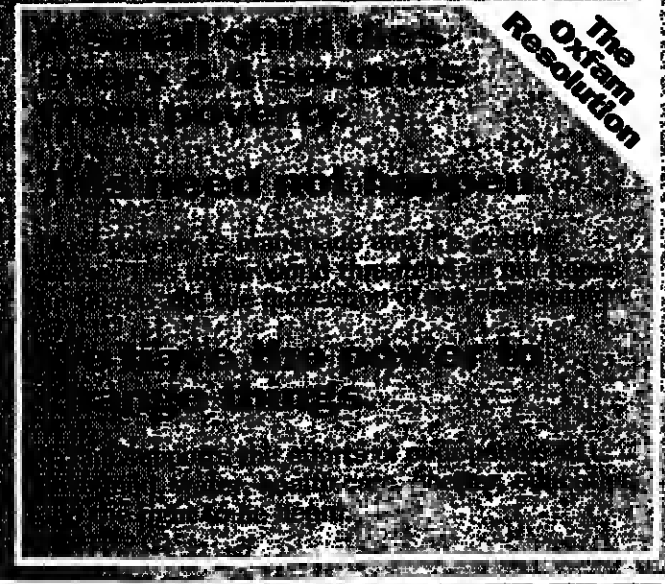
A government task force has drawn up a confidential report into ways of protecting the elephants' habitat, which is threatened both by overpopulation of elephants and by tribal Indians, who are encroaching deeper into the forests of the northeast and southern states. The task force is

proposing a 260 million rupees (nearly £6 million) five-year programme to entice tribals away from farming. One key element of the plan is to clear people out of migration corridors to allow herds to move along traditional routes.

A senior official with the task force said: "Elephants become distressed and dangerous when they are penned into one area. That's when they raid farms, trample huts and kill people. In their search for food they are forced to move to areas where elephants have not been seen for hundreds of years."

The government has ruled out moving large populations out of elephant country. The task force is recommending instead that tribes should be given welfare and educational benefits to enable them to survive without further agricultural expansion. Some forest areas have been declared out of bounds already to protect elephant migration routes.

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## Israel defends search for Iraqi missiles

FROM RICHARD BEESTON IN JERUSALEM

ISRAEL yesterday expressed indignation at the international uproar over its reconnaissance flight last week which entered the airspace of five Arab countries.

The action, ostensibly intended to gather intelligence on Iraqi missile sites, was widely regarded as a move which threatened to destabilise the planned Middle East peace conference this month.

The timing will not make this weekend's visit by James Baker, the US Secretary of State, any easier, particularly as the announcement of the mission coincided with an

attempt by Jewish settlers to seize properties in Arab east Jerusalem. They were supported by right-wing members of the coalition government, including Ariel Sharon, the hawkish housing minister.

The reconnaissance flight was reportedly carried out by four F15 fighter-bombers, which flew over Iraq for 30 minutes, and crossed into Lebanese, Syrian, Saudi Arabian and Jordanian airspace.

Moshe Arens, the defence minister, said Israel would take whatever measures it deemed necessary to ensure its security. "We estimate that under certain circumstances Saddam Hussein is liable to decide again to attack Israeli population centres," he said.

Iraq was the first country to react, in a letter complaining to Javier Pérez de Cuéllar, the UN secretary-general. The American ambassador in Tel Aviv, William Brown, was reported to have delivered a letter of protest to the Israeli government on Tuesday.

Although Syria did not refer directly to the violation of its airspace, it did launch a scathing attack yesterday against the Israeli government, which it accused of wrecking American peace efforts and leading the region to another war. "Diplomacy loses all chances because Israel has left no room for it," the Syria Times said in an editorial condemning Yitzhak Shamir, the Israeli prime minister, for refusing to trade land for peace.

London: Zuhair Ibrahim, head of the Iraqi interests section in London, was called to the Foreign Office yesterday for a discussion on recent events in Iraq (David Watts writes). In an atmosphere described as "crisp", he was told the government was disturbed by persistent reports of a serious outbreak of fighting in northern Iraq in the past few days.

The government also expressed concern at the reported use of helicopter gunships against the population of Masriya and renewed repression of the civilian population in the marshes near Basra.

While Mr Ghazali has said his country respects the internal affairs of other states, his description of the Ennahdha fundamentalists in Algeria as refugees has not pleased Tunisia.

## Militants seize Arab homes

By RICHARD BEESTON

A LONE Star of David flag yesterday fluttered defiantly in the heartland of Arab east Jerusalem as Jewish settlers celebrated one of the most audacious and provocative operations in their campaign to colonise and subdue Palestinian communities in this divided city.

Backed by extremists in the Israeli coalition government, the heavily armed Jewish militants launched a predawn raid in Silwan, the biblical valley of Kidron and site of the City of David, but today a symbol of Palestinian resistance against Israeli rule in the occupied territories.

"We came here because we have a right to reclaim Jewish land," said Joseph Cedar, aged 23, an American Jew from New York and a member of the El Ad movement which yesterday secured two homes but claimed to have purchased 14 more properties in the area.

Like many settlers his motivation was largely a religious and historical one. The implications of his actions, and those of his colleagues, are likely to have more immediate repercussions, particularly since the seizure was carried out only days before James Baker, the American Secretary of State, is due to return to finalise plans for his proposed peace conference. The conference intends, among other questions, to settle the problem of sovereignty over east Jerusalem.

"If one result will be that it will be harder to convene the peace conference, I certainly would not be sorry about that," said Yuval Neeman, the science minister and leader of the extremist Tehiya party, two of whose members yesterday joined the settlers in defying police eviction orders. Israeli senior police officers described the timing of the settler operation as insensitive, coming only a day after the first anniversary of the Temple Mount shootings, when 18 Palestinians were shot dead by Israeli border police only a few hundred yards from yesterday's action.

Although the United States regards the action as an "obstacle to peace", in Israel the settlers demonstrated yesterday that they have the support of key government members, particularly Ariel Sharon, the housing minister.



Rooftop resistance: an ultra-Orthodox Jew dressed for prayer on the roof of a house in the Arab district of Silwan yesterday after he and other settlers occupied seven houses. Police evicted them from five of the houses

## Famine threatens 30 million Africans

By DAVID WATTS, DIPLOMATIC CORRESPONDENT

THIRTY million Africans south of the Sahara face starvation, according to the International Monetary Fund.

Political and economic causes, as well as drought, are blamed for the impending disaster. "About 30 million people in this region are at risk of starvation, the majority of them in Ethiopia and Sudan, but also in Angola, Burkina Faso, Liberia, Mozambique and Somalia," the IMF said in its World Economic Outlook report prior to the opening of its annual conference in Bangkok next week.

"In these countries food shortages caused by drought are magnified by the obstacles imposed on relief operations by civil wars, by the inadequacy of infrastructure and distribution networks and by the scarcity of foreign exchange," the report said.

Countries that followed the IMF's economic policies had been improving their performance while suffering the same paucity of water as their neighbours, it said.

In other drought-affected countries, such as The Gambia and Ghana, "access to food imports has been facilitated by the availability of foreign exchange resulting from a stable macroeconomic environment supported by prudent economic policies and structural reforms".

African economies continued to suffer from slower growth in their export markets

and were constantly buffeted by "civil wars and inappropriate policies in many countries", the IMF said. In the sub-Saharan region, it said, growth of real gross domestic product is projected to remain unchanged at 2.25 per cent for 1991. Because of population increases this would mean a 1 per cent decline in per capita GDP compared with 1990.

Average inflation in the region is expected to rise from 22.75 per cent in 1990 to 24 per cent in 1991, far above that in the developed world. The situation is expected to improve in 1992, with a general

world recovery, restoration of trade with the Middle East and slightly higher commodity prices.

In 1989 the world's top industrial nations gave an average of only 0.33 per cent of their gross national product in aid, well short of the UN target figure of 0.7 per cent. More importantly, perhaps, 41 per cent of this aid is directed at high-income and middle-income countries, while a substantial amount is tied to the purchase of goods or services from the donor.

IMF report, page 23

## Zaire deal collapses over cabinet control

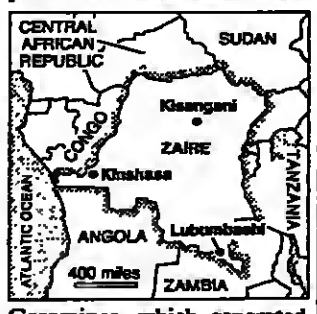
FROM SAM KILEY IN KINSHASA

HOPES that Zaire would emerge from anarchy with a new government were dashed yesterday as an agreement between President Mobutu and Etienne Tshisekedi, the prime minister designate, collapsed at the last minute after demands from the president that his party should dominate any new government.

Mr Mobutu and Mr Tshisekedi, had agreed earlier in the day that the critical defence portfolio should be held by the army chief of staff and not by a politician. But by late afternoon Mr Tshisekedi said that Mr Mobutu's demand for 50 per cent of the seats in a new cabinet was unacceptable. "I cannot take office under these circumstances," he said.

The failure of the accord, which might have brought stability to Zaire, which has been lawless since the army went on the rampage in most main cities and destroyed Zaire's industrial and commercial base, may be the last straw for the few hundred expatriates who remained after thousands of other Europeans fled the country last month.

Mr Mobutu has ruled the vast former Belgian colony for 26 years by skillful manipulation of his opponents, many of whom - including Mr Tshisekedi - were rotated in a political dance between high office and prison. He has played an other dissembling card in an



effort to stay in power, despite internal dissent and international pressure to step down. "Let's hope that the new head of the armed forces, General Liyeke Mahale [a close friend of the president and a disciplinarian] can hold his men together. The future for Zaire looks more dismal than ever," a diplomat said.

The economy is in a shambles. Inflation is running at about 3,000 per cent and profits from the state-owned

## UN chief blames Denktas

FROM MICHAEL THEODOULOU IN NICOSIA

THE United Nations secretary-general yesterday blamed Rauf Denktas, the Turkish Cypriot president, for scuppering an international peace conference on Cyprus which was due to be held in the United States last month.

Mr Denktas insisted on sovereignty for his breakaway state "including the right of secession", which conflicted with past agreements, Señor Javier Pérez de Cuéllar said in a report to the UN Security Council. But he said a conference could take place by the end of the year if both sides kept to earlier positions aimed at reuniting the island into a single state with two communities.

The report showed that Mr Denktas had raised the obstacles at the eleventh hour after weeks of shuttle diplomacy by American and UN officials had narrowed the divide between the two communities.

Greek Cypriots welcomed the secretary-general's report as a moral victory. "It clearly points out that the responsibility lies with the Turkish side," said President Vassiliou. Cyprus has been divided since 1974 when Turkish troops invaded.

## Suicide of right-to-die pioneer

FROM JAMES BONE IN NEW YORK

DEREK Humphry, the British right-to-die advocate who wrote a book about helping his first wife to kill herself with a cup of poisoned coffee, has lost the woman who was his second wife in another suicide.

Ann Wickett Humphry, who divorced Mr Humphry last year, apparently rode out on horseback into the American wilderness and took a drug overdose. Her body was found against a tree three miles up a trail from a horse camp in Bend, Oregon, on Tuesday, six days after her horse was found wandering with its saddle and bridle missing. Half-empty containers of prescription medicine were found near by.

Sergeant Terry Silbaugh of the Deschutes County search and rescue team said: "She apparently just lay down and

went to sleep." Mr Humphry said police told him she had left a suicide note at her home.

The couple founded the Hemlock Society in 1976, the year they married, to advocate suicide for terminally ill patients, and collaborated on a book, *Jeon's Way*, about the assisted suicide of Mr Humphry's first wife, Mrs Humphry's other writings included a book called *Double Exit*, about the double suicide of her parents.

The couple divorced last year with Mrs Humphry charging that her husband was trying to induce her to commit suicide after learning that she had breast cancer - just as his first wife had. Complaining about his comments on her mental state, she also filed a libel suit against her former husband and the Hemlock Society, claiming \$6 million

(£3.5 million) in damages. Mr Humphry, whose recent guide to suicide, *Final Exit*, is a number one bestseller in America, although banned in Britain, said his former wife had had her cancer removed and that he was not aware of any recurrence of the malignancy.

He described her as "dogged by emotional problems". He added: "Although she sought extensive treatment, her life was a series of peaks and troughs. In a world where mental illness often cannot be cured, some people cannot cope with life and choose to leave."

He said she had twice tried to kill herself during a previous two-year marriage and had left a suicide note at her home. Mr Humphry, a former *Sunday Times* journalist, has now remarried.

## Chinese reformer sues for libel

PEKING - China's former minister of culture, Wang Meng, who was ousted for his liberal views after the crackdown on dissent in 1989, is suing his headline critics for libel (Catherine Sampson writes).

Mr Wang is the first of the reformers purged in the past two years to launch a public counter-attack. By protesting against the headline criticism within the central committee of which he remains a member, Mr Wang, a writer aged 57, is bringing simmering political tensions into the open.

For the past two years, Mr Wang has been criticised in the official press for allowing "bourgeois liberal" tendencies to infiltrate art and literature while he was a minister. Political struggles in Peking have frequently been fought on the literary field, but never in the law courts. Those involved believe that this case could prove to be a deep embarrassment to China.

Mr Wang, like other victims of the purge including former party chief Zhao Ziyang, endured the attacks in silence for a while. But now he is suing the editor of *Wenji Bao* literary journal over a published letter that claimed a short story by Mr Wang, called *Hard Porridge*, had attacked Deng Xiaoping, China's senior leader.

## Envoy kidnapped

DELHI - Suspected Sikh gunmen kidnapped Lijiv Radu, the Romanian charge d'affaires in India, while he was driving to work here during the morning rush-hour. The kidnappers had taken over an unmanned police checkpoint and halted the car, which had diplomatic plates.

## General guarded

WASHINGTON - General Norman Schwarzkopf, the retired American commander of the allied forces during the Gulf war, has been assigned army bodyguards because of "indical groups desiring to do him harm", the US Army said. The statement did not specify how long the bodyguards would be assigned to him. (Reuters)

## Murder charge

SANTA ANA, California - A computer consultant, accused of killing his wife in retaliation for an extramarital affair, put her through a slow, painful death by tainting her cyclinder with a toxic chemical, authorities claim. Richard Overton, aged 63, is also linked to the attempted poisoning of his first wife. (AP)

## Spreading unrest

TARDES - About 200 French farmers, continuing protest action against imported meat, spread two tonnes of Bulgarian and Hungarian liver pâté on a road in this southwestern city overnight after seizing it from a warehouse, the demonstrators said. Officials were unavailable for comment. (AFP)

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# Barred from a second opinion

As the Conservative party prepares to debate health today, Ann Kent reports on a casualty of the NHS reorganisation

Second opinions are not an automatic right for patients who are dismayed by their doctor's diagnosis. Most hospitals which used to provide this service for nothing can no longer afford to do so in the reorganised NHS.

Yet second opinions have become even more essential since the NHS reorganisation in April, according to Nancy Dennis of the College of Health, the patient watchdog organisation. This is because most GPs now have less freedom about where to send patients for treatment.

The General Medical Council's code of professional conduct advises GPs to "consider carefully any request by a patient for a specialist opinion, even if they are not convinced that such an opinion is necessary". A survey published in the *Consumer's Association* magazine *Which?* earlier this year found that seven out of ten GPs agreed immediately to such requests. Another 13 per cent agreed reluctantly.

Mrs Dennis believes that second opinions may save health authorities money by stopping an unnecessary treatment from being given. "But unfortunately everyone is now so cost-conscious that these are being seen as an expensive extra," she says.

Karol Sikora, a professor of clinical oncology at Hammersmith Hospital, has evidence of the decline of the second opinion. He has recently halved the number offered by his department.

"We used to do three or four in every clinic, and now we limit it to two," he says. "There is no mechanism for us to be paid for these, and there is a limit to how many services we can do free."

The *Which? Way to Health* survey revealed that the commonest reasons for a patient requesting a second opinion were that current treatment did not seem to be working, a need for reassurance, lack of confidence in the doctor's expertise, and lack of information about their condition.

Until now, second opinions have been part of the service which hospitals were proud to provide to all comers.

GPs must now send patients seeking second opinions to provider hospitals which have a contract with the purchaser, the local health authority. Although it might be argued that any such consultation is an unnecessary luxury, problems are most likely to arise with extra-contractual referrals (ECRs) - that is, referrals to hospitals that have no contract with the health authority. Family doctors who at-

tempt to send their patients to a non-contracted hospital for advice are now finding that the purchasing authority refuses to pay, sometimes on principle, sometimes because it has already used up its ECR budget.

Dr Judy Gilley, a family doctor in Barnet and a member of the general medical services committee which represents all GPs, says: "If you label something a second opinion, you are inviting someone to say it is expensive."

Her solution is to not use the words "second opinion". "I tend to write letters describing the whole history and clinical findings and then add towards the end that the patient has had the benefit of the advice of Dr so and so. If there was a patient who was unhappy, say with cancer treatment, I would not describe that as a second opinion. I would say my patient had a particular problem which needed specialist advice, and I would expect it to come out of the budget for extra contractual referrals."

Dr Gilley admits that her own patients benefit from the fact that their health authority has contracts with about 30 providers, including the big London teaching hospitals. GPs and patients in more sparsely populated areas have much less choice.

Dr Michael Richards, the director of oncology at Guy's Hospital, says his department is trying to cost second opinions. "I think we can work out a fairly simple price for a visit including a review of the patient's case notes. However, if further investigation or treatment is needed, we will have to go back to the provider health authority to check whether it is prepared to pay the extra costs."

"Because of the pace at which the changes were introduced the cost systems are very primitive, but with each year that goes past they will be more sophisticated."

"I think that the new system will eventually work out to the patients' benefit. Under the old system we got penalised for doing extra work because it cost the hospital more money. Now with the money following the patient, centres of excellence should get rewarded for the extra work that they do."

"But one of the risks in this is that health authorities may not want to pay for second opinions."

Dr Stephen Killick, a consultant obstetrician and gynaecologist at Withington Hospital, Manchester, also



No unauthorised entry



"There is no mechanism for us to be paid for second opinions": Professor Karol Sikora, of Hammersmith Hospital

realises he is going to have to levy charges for second opinions, a service he used to provide free. "About 20 per cent of patients are referred here from outside the region and we cannot go on providing advice and investigations to them for nothing," he says.

But Dr Killick also feels the new system will eventually benefit patients because district general hospitals will be forced to provide a good service, or go out of business. "My one reservation is that patients' trust in us has been damaged. Some of them are wondering if they are being refused a treatment on financial grounds rather than because they don't need it. This is one reason why they might want a second opinion. However, I would be reluctant to go back to the old system."

The Brompton Hospital, in west London, has special gov-

ernment funding allowing it to see heart patients from all over the country and Dr Paul Oldershaw, one of the consultants, regularly gives second and even third opinions.

GPs who run their own budgets are in a better position to provide choice for their patients. But only about 300 out of 10,000 practices are fundholders.

Dr John Lee, who is based at a fundholding health centre in Greenwich, southeast London, says: "We decided from the beginning that our patients have a right to a second opinion and we have built that into our costs."

But Dr Martin Jones, a GP in Bishopsworth, Bristol, is disillusioned. He says: "It is true that the big practices which are budget holders are able to offer their patients a different service, but I don't think the system is working for the rest of us."

## Uncommon market

What is medicine for one European can often be poison for another

If his life depended on the availability of sophisticated equipment and medical know-how, John Barrable would prefer to be taken ill in Germany. If, however, he were more concerned with the long-term quality of that life, he would opt to be treated in France.

"The French seem to have the most sensible balance between science and art in healthcare, and a more rounded view of living. I'm not saying they would always leave you to die, but I think there are some circumstances where they would not go on trying to save someone, whereas in Germany, and probably Britain, they would," he says.

Mr Barrable's views stem from his research into the different attitudes to health

Netherlands, France, Italy, Spain and Germany that are carrying out market research among their own populations.

"What's fascinating is that what we've learnt seems to reflect what one thinks of as national characteristics. The Germans prefer to take their medicine in the form of injections. There's something archetypal there: injections have this precise, clinical image, they deliver the exact amount in the right place at the right time. If you take a pill, as we and the Dutch like to do, you're never quite sure what's happening to it. Different nations seem

preoccupied with different parts of the body. In Britain it is our bowels. We swallow huge quantities of laxatives and have a high rate of constipation and diarrhoea. In Germany, though, they have liver conditions we have never heard of."

Attitudes affect treatment, he says. "There is a particular heart condition for which in this

country you may be advised to cut stimulants and to rest. In Italy, however, you may be told to carry on enjoying yourself. Yet it seems the life expectancy rates for the condition are the same in both countries. But in Italy you might have a better time."

"In Italy, medicine is an art, rather than a science, degree. Their approach is much more holistic; if you do not feel well, then there must be something in your life that is not right."

Europeans account for a third of the world's expenditure on drugs, and Mr Barrable will also study how different nationalities prefer their medicines to look and taste. "We know, for instance, that there is a positive advantage in this country to making something taste nasty because people then think it must be doing them good. They shy away from black tablets but think red and orange ones are strong and powerful."

LIZ GILL

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## HIV off the kerb



the average client is rather more likely to be an office or skilled manual worker who, fond of his wife but finding his sex life at home either lacking in quality or quantity, is unwilling to form any other lasting relationship. Although most clients cited more than one reason, the most common excuse

given for seeking commercial sex was the desire to have a liaison without emotional involvement. Others felt that they were not getting enough sex with their regular partner or preferred the services of an expert. 25 per cent went to a prostitute because their partner scorned their demands.

In Birmingham about 1,200 prostitutes each see on average 22 clients a week. The overwhelming majority of clients live nearby. The study suggests that between one in five and one in 12 adult Birmingham males uses a prostitute annually. Only 6.4 per cent are unemployed, 44.8 per cent blue collar workers, 14.4 per cent office workers, 12.8 per cent have small businesses and 13.6 per cent are professional or senior managerial. Few clients are under 20, the greatest number being between 20 and 40, although 18 per cent are in their fifties, 7.2 per cent in their sixties, 1.6 per cent in their seventies and nearly 1 per cent in their eighties. Prostitutes reported that 43 per cent of their clients are married, 23 per cent separated or divorced and the rest either single or widowed.

## Keeping cool under pressure

AUBERON Waugh's autobiography, *Will This Do?*, is published today. In an interview, Mr Waugh extolled the virtues of taking a beta blocker a day. This solitary tablet has, by maintaining his blood pressure at a normal level, allowed him to continue to enjoy wine and, he said, had the advantage of turning him into a totally benevolent and calm figure.

Beta blockers have revolutionised the treatment of blood pressure and those who enjoy Auberon Waugh's brand of humour can rest assured that there are now many cardioselective beta-blockers available which block the emotions, while leaving the undimmed protect the heart and circulation from its ill effects. Cardioselective beta-



blockers have side-effects altering the peripheral circulation: hands and feet are often chilly, sexual prowess may falter and baldness can be exacerbated. More serious, but rarer, side-effects include skin rashes, dry eyes, worsening asthma, heart failure and, sometimes, slower heart rate can occur.

The importance of treating all raised blood pressure early has been emphasised

by recent research from the Hammersmith Hospital. Research workers there have shown that a raised systolic blood pressure (the pressure exerted when the heart is contracting) even though the diastolic pressure (the pressure when the heart is in the resting phase) is normal has its dangers. Young and middle-aged patients in whom systolic pressure was greater than 160, even though the diastolic was under 90, were, when followed up for over 12 years, more than 50 per cent more likely to die.

Review, page 12

## A eye on VDU operators

IN JANUARY 1993 millions of VDU operators will be affected by a little-known directive from the European Council of Ministers that

will make their employers responsible for the testing of their eyes by a "suitably competent person" before the worker starts his or her employment and at regular intervals thereafter. Employers will be liable to pay for any costs, including spectacles.

People who use ordinary reading glasses are unlikely to find them suitable for a VDU, as the distance from the worker to the screen is greater than the usual reading distance. Spectacles with prescription lenses, as well as an anti-glare factor, will then be necessary. Anticipating an increased market, at least one manufacturer, Bollé, has developed a lens that mitigates the nuisance caused by the glare from excessive office lighting and VDUs. Although VDUs can cause headaches and excessive fatigue, they are unlikely to damage vision permanently.



## Prestissimo purplissimo

OUR cat Oscar has a blocked bladder, poor chap. The vet says he's like a kettle with limescale. And how it tugs at the heartstrings to see the little fellow stagger into the flowerbed beside the backdoor, scratch a hole in the earth, and squat. Nothing. Resolutely, he crawls a little further, digs again, and squats, scanning the sky for inspiration. Still nothing.

I mention this for two reasons. First, because a little wider sympathy can do no harm in helping Oscar to open the floodgates. And secondly, because of the obvious analogy between Oscar's endless earthworks on behalf of his waterworks, and Anthony Burgess's restless, breathless technique in this bright little, light brittle book about Mozart. Burgess hurtles through a gamut of genres and styles as he attempts to pin the fluttering butterfly of Mozart's genius to the page, celebrating the man whilst doing his best to "justify the layman's adoration" for his music. Admittedly, Burgess's rhapsodic scratchings are rather more varied and imaginative than Oscar's spasmodic scrapings, but one has the feeling with both of them that each new effort merely emphasises the impossibility of the task that they are striving to perform.



Burgess, our merry maestro of lingo

Oscar may dig like a JCB, but will remain bunged up; Burgess may grind out 100 variations on his theme, but will never release its essence.

But goodness, he tries. (So would you if you had a blocked bladder). This bicentenary tribute to young Wolfgang is a kind of textual knickerbocker glory; a multi-layered delight comprising a number of colourful dollops of idiosyncratic biofiction, all liberally sprinkled with wit and wisdom and — thankfully — not a glacial cherry in sight. First there's a bout of celestial dialogue between Mendelssohn and Wagner and Prokofiev and Beethoven (not to mention Arthur Bliss, whose initials make one deeply suspicious of everything he says); a few scenes from a rowdy opera buffa about Mozart, in which the young composer joins Gluck and Salieri for a boisterous drinking song about the virtue of counterpoint; a virtuoso burst of purple prose translating the famous symphony No 40 into language that goes some way beyond the sleeve-note of *Your Hundred Best Times* ("untrussed he lustily thrusts thrusts thrust slaked. She herself not

Michael Wright

MOZART AND THE WOLF GANG  
By Anthony Burgess  
Hutchinson, £12.99

there but transformed to palpable scream beneath. Teeth grind, grip...") Then there's some musicalological schizo banter between "Anthony" and "Burgess"; a snappy film script that skids along in the manner of *Amadeus*; and a discussion between Mendelssohn and a Tel Aviv string quartet who have been blasted in mid-rehearsal by one of Saddam's Scud missiles.

Burgess does all this and still, by his own admission, falls short: "The celebration of Mozart cannot be accomplished in words." Burgess is trapped in the blocked bladder of language, and he knows it. So the book is not so much a celebration as a celebration: an examination of the interdependence of language and music, and of the gulf that separates them. There is a dialectic process at work in the text, with pairs of "oppositions" jostling for prominence: music against language; the composer against the librettist; Mozart the all-too-human man versus Mozart the well-nigh-divine composer; Anthony versus Burgess; the serious against the merely diverting; the "signifier" versus the "signified".

Oh Gawd, I'm sorry for resorting to this lit-critter jargon, but it's important. Burgess rightly points out that music is distinguished from language by its non-referentiality; it's not about anything except itself; it is made up only of signifiers with no signifieds. But, curiously, while it is the purity of Mozart's music —

its "objectivity" and freedom from the "intrusion of ego" — that Burgess identifies as the quality that sets Mozart above, say, Beethoven, and which he seems eager to celebrate, he is unable to sit still in silent contemplation of that purity. A composer-magician, he himself, Burgess talks of guilt and envy; of nostalgia for the cultural conditions that made Mozart possible. It begins to seem vital for him to find some way of deconstructing the opposition between the purity of music and the dirty squelch of language; to find some way of making Mozart's music "available" in human terms. The boy must throw a stone to shatter the moon reflected in the pond; the cat must dig; words must come.

This may all sound rather portentous, but the instinct to find words that will comprehend music is what gives the book its urgency and readability. Besides dramatising the impossibility of his task, Burgess's mélange of different styles ensures that his failure is a brilliant one. After all, "Things have occasionally to be done to show that they cannot be done." I've no doubt that Oscar would agree with him.

## Star Waugh of father and son



Bron with daft hat, summing up his first fifty years of arguing with Papa, and entertaining the rest of us

Tim Heald reports that Bron has written hard and made a pretty creditable effort this term

W augh like hats. Evelyn caused his son Bron embarrassment by turning up at his prep school sports day wearing a straw boater with a Brigade of Guards ribbon, though this was not as bad as sporting a grey bowler hat, described as "his drab Coke", when he came to present the prizes. Bron, in turn, must have embarrassed his nearest and dearest with the mad beret he used to wear in the Aude in 1968 — let alone the "hideous revolutionary moustache" (his own description) which went with it. In the photograph he looks defiantly melancholy and rather hung-over. Like a follower of Ché in front of the firing squad. And then there is the hat on the cover, a raffish Borsoliano-looking affair, black with wide brim and ribbon, worn at a slight angle. It has the effect — intentional I guess — of suggesting that the wearer is not quite a gentleman. More of a gentleman than you or I, of course, but a bit of a bouncer, nevertheless, if not quite an absolute cad.

That's enough about hats, though I should mention in passing that the all black and white photographs in this book are wonderfully awful — mainly family snaps or stiffly posed groups. I particularly like the author in Bologna ("writing *The Fagot*"), in which he appears to have acquired a mysterious tilt and to have had both arms amputated around the elbow. And why, in the one of Captain Dawson's Brigade Squad at Caterham in 1957, is everyone smartly kitted out in khaki, while one trooper is wearing what looks like a flannel vest? I think we should be told. The most interesting parts of the book concern relations between Bron and his Dad, variously described here as "Papa" or "Waugh", which itself says something about their peculiar relationship. Many will already have read about the hideous banana incident, when the Labour government decreed that all children should be issued with a banana, now that the war was over, and such delicacies could once more be procured. When Bron's mother came home with three of these exotic fruits for Bron and his sisters, Evelyn smothered them in cream and sugar and scoffed the lot while the rest of his family watched. "From that moment," writes Bron, "I never treated anything he had to say on faith or morals very seriously".

I doubt whether this is entirely true, but one sees what he means. On the one hand Waugh père was a foul-tempered misanthrope who ate in the library whenever his children were at home, but on the other he was capable of inspiring intense if exasperated devotion in friends and relations. His influence on his eldest son has been profound, even if eccentric. After Waugh/Papa's death (described with characteristically lavatorial, even scatological, attention) Bron still found it difficult to stop viewing every event with half an eye to the bulletin I would send my father. Almost 30 years after the old boy's death, Bron still apparently finds it difficult on hearing a funny story, not to "mentally store it away to repeat to him".

Like his father, Bron harbours a good grudge and enjoys paying back scores. The key word here is "vile". There are vile schoolmasters, vile politicians, vile monks, above all vile fellow hacks, all here reduced to vile bodies, though this author is carefully never to be entirely predictable. Thus Nigel Lawson, whom one thought bound to be vile, is instead described as "by far the cleverest person I have ever worked with".

Apart from the rum relationship with his father, the most extraordinary episode in the book is Bron's machine-gunning. I knew that he had been shot in Cyprus during the EOKA crisis, but had always been told, by his detractors, that one of Grivas's chaps had got him in the back or bottom. What actually happened was that the Browning machine gun on Waugh's armoured car jammed, and he decided to put it right by giving it a good shake — very much his attitude, I should guess, to any piece of recalcitrant machinery. Alas, the recipe was all too effective, and Bron took a burst of fire at point blank range. God alone, and a surgeon called Watts know how he survived.

"Will this do?" is the question Waugh, and many other hacks, apprehensively ask their vile editors when submitting their copy. In this case, of course, the question is addressed to the great White's Club in the sky, where one hopes Papa will raise a glass of his favourite gin and barley water and say "Yes, dear boy". Well, he should, because his offspring's book is as tart and funny and ultimately sad as many of his own.

WILL THIS DO?  
An Autobiography  
By Evelyn Waugh  
Century £15.99

## Robust tales from a professional hackette

Antonia Bremner

THE SHORT NOVELS  
OF MARTHA  
GELLHORN



By Martha Gellhorn  
Sinclair-Stevenson, £19.95  
THE WOMEN'S HOUR  
By David Caste  
Penguin, £14.99  
SCUM  
By Isaac Bashevis Singer  
Jonathan Cape, £14.99

IT SEEMS fitting that Martha Gellhorn, doughty war correspondent and wife of the swashbuckling Ernest Hemingway, should publish a collection of short novels, rather than stories. Her name has always been matched with meaty subjects of war, oppression and valour; her reportage a manifesto for freedom and democracy. No, the nuances associated with the term "short story" are not for her. And yet it would be wrong to think that she was incapable of dealing with the softer side of life. The first paragraph of "For Richer, For Poorer" contains this disconcerting observation: "Lady Harriet leaned closer to the looking glass and frowned at the exquisite curve of her mouth. She thought about Rose Anwell and her new lipstick; both irritated her." Who would have thought it, vanity, cosmetics and a stately home in Gloucestershire, from the pen of the fearless reporter? It is not her best, nor her most credible, work by any means, but it serves to show that we can expect surprises in the fiction of Martha Gellhorn.

One thing that does not astound is the variety of settings which, dating back as far as 1936, span from the cities of Europe to the colonial strongholds of Africa and the deep south of America, suggesting they are written between wars. "Mrs Madison", an early piece, celebrates the fortitude with which an elderly, working-class woman gets through the Depression. Strength of spirit or resolve is something Gellhorn clearly upholds. Perhaps the most successful of the works featured here, though, is "Ruby", a short, robust tale about a child prostitute who lives with her mother in one room. Infused in the picture of rag and dirt living is a sense of the sadness and inhumanity of utter poverty.

"Words are the armoury of the powerless," reflects Professor Sidney Pyke, after insulting the Tory Minister for Higher (though his aim is lower) Education by calling him "a turd". This is David Caste with his tongue firmly in his cheek: *The Women's Hour* is a fast and clever political farce, in which the potency and sure-fire shot of

words can win or lose the day. The question at the centre of the novel is whether Sidney Pyke, Chair of Media Studies and Green Party councillor, really swampered in the university swimming-pool during the women's hour, and raped the arch feminist Dr Beth Hooper in 12 feet of water. Caste treads water with dozens of different ideas, but keeps his plot well afloat with the buoyancy of his drama.

A large cast of feisty women gives scope for a number of energetic set pieces. Samantha, his wife, is a formidable television celebrity, the bright star to his flabby, failing counterpart, Melanie, his pet PhD student and former lover, has transferred her body and soul to the aggrieved Dr Hooper, and Chantal, another student, is quietly exploiting her affair with the professor to provide steamy copy for the serialisation of the Sidney Pyke Story for a Sunday newspaper. Far more than the pure farce this bare outline suggests, the novel works through the theories — social, sexual and otherwise — of the Sixties, Seventies and Eighties, throwing into perspective the so-called "era of radicalism". Scum is the last — and

posthumous — novel of the Nobel Laureate and Jewish writer who led the Polish ghettos in 1930, and thereafter endeavoured to set into perspective the pain of the century. Here, Isaac Bashevis Singer looks back to 1906 and tells the tale of Max Barabander, a heart-broken father who has returned to Warsaw after the death of his son, in the hope of rediscovering the camaraderie of his old friends and haunts. It should be a record of comfort, but it is not. Rather, it is a chilling rendering of the novel's frontispiece: "Flesh and corruption were the same from the very beginning, and always remain the scum of creation, the very opposite of God's wisdom, mercy and splendour." Barabander is convinced that at 47 he is impotent. He sets off on a mindless pursuit of sex, turning from one girl to another and on to another in a frantic search for sexual salvation. As he resists the inner voice of his conscience, his spiritual degradation accelerates in pace with the destructive scene of the ageing century. Not a book with which to look forward to the new millennium.

"YOU are to marry Michele Corsini, Serafina," said her father, pronouncing, though he did not know it, a death sentence for himself and his ten-year-old daughter. Serafina's father was a wealthy merchant in the silk trade in Mantua, who wished to have a close contact with the Florentine Caprinis. During the voyage to Florence, they are attacked by Barbary pirates. He is killed, and she is sold as a slave, to Kara Ali, a French physician who has adopted Islam.

Serafina is a clever child. She can read and write, and becomes almost the daughter he had lost to Kara Ali. Deliverance comes with the appearance of Thomas Marlowe, an Englishman who has been wrecked on the coast, and is desperate to escape back to Europe. Thomas is a pilot by trade, a passionate boat builder by inclination. Their separate preoccupations, Serafina for revenge and the recovery of the silk business, and his for his ship, the Kingfisher, involve them and their friends in great danger. Serafina marries a rich old man, and bears a son, who inherits his wealth.

A woman in Italy cannot grow too rich or successful in the 16th century, or she brings down envy and hatred on herself, and this happens to Serafina. Thomas's temperament lands him in serious trouble, yet they both survive to be happy in this most enjoyable novel.

## Silken cords of tosh

Philippa Toomey

GLITTERING  
STRAND  
By Judith Lennox  
Hamish Hamilton £14.99

■ *The Reckoning*, by Sharon Penman (*Michael Joseph*, £14.99). Simon de Montfort died on the field of Evesham, and his corpse was hacked to pieces and desecrated. His widow (though sister to the king) and family were forced into exile. A long story of power struggles and revenge is seen through the eyes of Hugh de Witton, a 15-year-old boy, noble but landless, who becomes squire to Simon's son. Roughly, the Welsh and the De Montforts are the goodies, and the English the baddies, but as they are all related and are inclined to swap sides, concentration is needed for all the 576 pages.

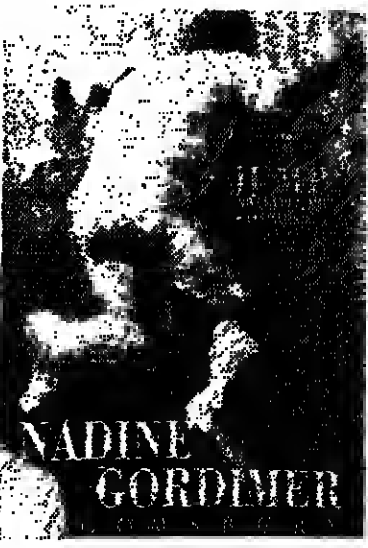
■ *The Grass Crown*, by Colleen McCullough (*Century*, £15.99). This sequel to *The First Man in Rome* is an enormous novel (813 pages,

with an additional 80 pages of glossary), continuing the story of Marius and Sulla, now estranged and in opposition. The author, normally a fluent and exciting storyteller, seems to have been overwhelmed by her subject and her research. Everything has to go in, from speeches in the senate to long descriptions of funeral customs. Dialogue is in colloquial English, with the odd Latin word thrown in. This becomes pretty tiresome after a while. It's hard, also, to feel for either Marius or Sulla (I expect the Romans had a word for four-letter-words) and, *mirabile dictu*, there are four more volumes to come, to which I cannot say I look forward.

■ *The Running Vixen*, by Elizabeth Chadwick (*Michael Joseph*, £14.99). With *The Wild Hunt*, the predecessor to this novel, the author won a Betty Trask prize. The sequel is set in the Wales of 1126, where the marriage of Adam de Lacey, foster son of Earl Guyon, and the widowed Heulwen, begins a feud with the evil De Mortimers. Here the Welsh are the baddies (except that they are, once again, of the same blood) and Adam is involved in some stirring fights, one in mortal combat (almost) and once in a mêlée, which had quite strict rules. Well written, and exciting, I could have done without the love scenes, though happily married love is so rarely portrayed that one ought to be grateful.

## NADINE GORDIMER

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## CINEMA: NEW RELEASES

# Collaborators in a novel approach

Geoff Brown reviews Gérard Depardieu in Claude Berri's *Uranus*, *Aunt Julia and the Scriptwriter*, *Why Has Bodhi-Dharma Left For the East?*, *Drop Dead Fred*, *Toy Soldiers*, *Poison* and *The Big Bang*

Here he comes: pacing and thundering like an enraged bull, hair swept back, bottle close to hand, sporting a nose that suffered some argument with a door. In his cups one night, he lootes a trumpet and wields a loud-bailer in the streets. "Shut up!" the citizenry cry, though living with Gérard Depardieu they must be resigned to bedlam.

*Uranus* (15, Lumière, Camden Plaza, Chelsea, Curzon Mayfair) reunites this most powerful French actor with the director of *Jean de Florette*, Claude Berri. His character is Leopold, former fair-ground strongman and café owner in a small town writhing with distrust and hate at the end of the Nazi occupation. Communists sit in control; there are scores to be settled with collaborators, turncoats, black marketeers. Bombed out of his school, the teacher Watrin (Philippe Noiret) uses the café as a classroom; Leopold becomes intoxicated by Racine and invents his own Alexandrine lines, counting out the syllables on stubby fingers. But when his loud mouth attracts communist hostility, no quotation from *Andromaque* can save him.

Though he dominates all his scenes, Depardieu does not stand alone. *Uranus* stems from Marcel Aymé's 1947 novel — a caustic attack on the excesses of the French post-war purges — and Berri's adaptation thrusts us into a novelist's teeming canvas. At first the barrage of characters appears daunting, particularly to audiences unversed in the political context. Be patient. Air enters the cramped script, and the plot settles down to the communists' hunt for a writer-collaborator, sheltered by Watrin and Archambaud, a dry old stick perplexed by the world's hypocrisy.

In his Pagnol films, Berri dem-

onstrated an enviable gift for treating mean people kindly. Aymé's novel supplies even greater gargoyles. Berri never whitewashes their vices; the war profiteer Monglat, squatting toad-like behind a desk, is particularly loathsome. Yet whatever their crimes, they all have reasons for what they did; they keep some scrap of human dignity. Vigorously performed by an excellent cast, *Uranus* tackles its prickly subject with courage and confidence.

**'In his Pagnol films, Berri demonstrated an enviable gift for treating mean people kindly. Aymé's novel supplies even greater gargoyles'**

Mario Vargas Llosa's novel turns fiction writing into a dazzling fireworks display. A steamy affair between Aunt Julia and a gauche nephew snakes its way between chapters unravelling the far-fetched plots of radio serials devised by the scriptwriter: a flamboyant Bolivian with a grudge against Argentina. Hardly natural Hollywood material, this, though one year after English publication, producers began sniffing it out. Inevitably, the streamliners have been at work. William

Boyd's script changes the geography: Lima becomes 1951 New Orleans; the writer's ethnic slurs are now aimed at Albania. Instead of several serials, we have one: "Kings of the Garden District". The fireworks display has become a few Catherine wheels and a box of sparklers.

Thus reduced, much zany fun remains. Jon Amiel, directing his first American venture after *The Singing Detective* and *Queen of Hearts*, whisks along the players merrily. Peter Falk enlivens the writer's role with his own cross-eyed panache; Barbara Hershey fully convinces as the aunt permanently in heat. Only a bland Keanu Reeves — the besotted nephew — lets the side down. Yet for all the good work, nobody can prevent *Aunt Julia* tumbling into that awkward crack between mainstream fun and art-house diversion, the graveyard of so many off-beat ventures.

*Why Has Bodhi-Dharma Left For the East?* (ICA Cinema), one can be sure, will never play the Regal. Workshop. The title refers to the 5th century monk who introduced Zen Buddhism to China; the question has become one of the religion's tools for meditation. There is no particular narrative to gnaw on. Instead, South Korean director Bae Yong-Kyun throws us startling images of wind, fire, rain and three Zen disciples — an old master, a young monk, a wide-eyed child — undertaking daily rituals in the mountains.

This is not the film for adrenaline junkies. If you fret and check your watch, you are doomed; yet once adjustment is made, the calm, mysterious images weave a hypnotic spell. Bae Yong-Kyun, a self-taught film-maker who served as his own cameraman, editor, writer and designer, spent three years high in the hills coaxing the landscape and non-professional



Intoxicated by Racine, with bottle close to hand: Gérard Depardieu as the roaring café owner, Leopold, in Claude Berri's *Uranus*

actors in do his bidding. Some scenes he shot 60 times. But the film never feels like an art gallery on celluloid; instead, meditation and visual poetry become wondrously fused by cinema's magic.

My own imaginary childhood friend was called Alfie David. What he actually looked like I never knew, though he seemed too docile to resemble Rik Mayall, who storms through *Drop Dead Fred* (12, Cannons Chelsea, Oxford Street, Haymarket) in green jacket, puce trousers and ginger hair. When Fred's old companion, grown to adulthood, his trouble — in the same day she loses husband, purse, car and job — the horror materialises to cheer her up with anarchy.

Rik Mayall, in his American film debut, grabs his role and runs hard and fast, scattering grimaces and cries of "Snot face". Naughty

children could have fun (they did in the States). Yet even naughty adults may find the film's energy draining away through crudities and jerky handling. The mayhem is laced with tender moments (cue the tinkling piano); but whatever the mood, director Ales De Jong recklessly milks each moment without any thought to the next.

Phoebe Cates, as the adult heroine, comes into her own lurching out with the invisible Fred — the film's one truly funny scene. Otherwise, she is easily swamped by Mayall's capering zany, Marsha Mason's domineering mother, or even Tim Matheson, her two-timing husband. *Drop Dead Fred* springs from a beguiling idea; all it needs is a cast, script and director.

Film derring-do used to be a man's job; you needed a uniform, and a chest big enough to take medals. Now, with the teen market calling the shots, any pretty

pip squeak will do. In *Toy Soldiers* (15, Odeons High Street Kensington, West End, Whiteleys), baringly directed by Daniel Petrie Jr, Sean Astin plays the pint-sized scallywag of an elite American school. Terrorists attack to flush out the son of a judge who incarcerated a drug kingpin. They come with machine guns and steel will; Astin's weapons are pluck and a toy plane. Given the plot's absurdity and the presence of Denholm Elliott, *Toy Soldiers* should be easy to enjoy. But this peacock tale comes clothed in grey. There is nothing here worth cinema's temple of dreams.

*Poison* (18, Metro) is this year's hot American independent movie. The Americans can pontificate on Jean Genet, the film's inspiration, or the interwoven styles (television documentary, 50s sci-fi, homoerotic drama). They can rail about crotch fondling and flying phlegm, or its partial funding by

the National Endowment for the Arts. For those without axes to grind, *Poison* can offer very little. The play of styles, attached to three separate stories of social deviance, initially intrigues, but leads nowhere. Showy on the outside, drab within, *Poison* gives cult films a bad name.

Where *Bodhi-Dharma* wrestles with great thoughts through images, James Toback's bare-brained documentary *The Big Bang* (National Film Theatre) tries to express them in words. Convinced that God created the universe through an "orgasmic explosion", the director of *Fingers* tests his theory on 19 American allstars, from a writer who claims he saw God in a Baltimore hotel lobby to a sad-eyed gangster who talks movingly about death and loneliness. Madcap one minute, affecting the next, tedious the minute after. *The Big Bang* arrives at the NFT for six performances.

## TELEVISION REVIEW

## Rotten to the court?

YOU do not have to be some sort of liberal sofie with an inclination to give bravery awards to bank robbers to see that a court environment which puts defendants in a lockable dock surrounded by uniformed men amounts to behaviour likely to cause a breach of the justice system. I was still struggling with spots when they sent me to report court cases but even I could see that the furniture had been arranged in such a way as to presume the guilt of the person charged.

Nearly 30 years on, this was but one of the premises tackled by Michael Mansfield QC in his film *Presumed Guilty*, last night's offering from the *Inside Story* strand on BBC 1. Mansfield, who defended the Birmingham Six, addressed us from various locations in Britain, France and the United States, for all the world, like counsel making his closing speech to a jury.

The style was pure melodrama. We had Mansfield striding along in boots and baggy trousers beside one of the Birmingham Six, under the massive walls of a prison. Small man, big institution: geddit? We had Mansfield demonstrating the advantages of the French system by getting himself arrested. A device, you understand. We

had Mansfield interviewing two gun totin' female detectives in New York, hired to investigate for the defence out of public funds.

But not even Mansfield could get upstage of the American woman judge, an inferno of certainties who, having studied the transcript of the three-day summing up in the Birmingham Six case, set to work like a tabloid sub-editor and reduced it to 90 minutes.

The purpose of all of this was serious enough. Mansfield, who has Paxmanite presentation skills, contends that the system is rotten, so out with it. Out with the police both arresting and questioning suspects, that way lie false confessions and the like. Out with remand, in with bail (except in extreme cases). Out with the dock, in with the laid-back (if not chaotic) American courtroom. Out, out, out.

To achieve moderate reform in a conservative country, make radical proposals. Yes, I see that. But are the rotten apples sufficient to justify burning the barrel and then taking an axe to the orchard? Last night's was a classy prosecution, but that peculiarly Scottish verdict applied: not proven.

PETER BARNARD

## JAPAN FESTIVAL

## Doing what comes naturally

Toru Takemitsu is in London for the world premiere of his latest work.

Richard Morrison met the composer

On Tuesday, backstage at the Barbican, a dapper Oriental figure of paper-thin physique explained his trade. Most composers, asked about themselves, talk of commissions, styles, techniques. Toru Takemitsu — Japan's most famous composer, celebrating his 61st birthday that day — preferred to discuss the garden, the sea, the lake, the mountain.

Whimsical? Not really. As audiences for the Barbican's four-day festival of Takemitsu's music will discover, the key to understanding his beautifully sculpted, subtle, shimmering sounds — not that one needs an "understand" such gorgeously sensual music — lies in making the connection between the sounds and the natural phenomena that inspired them.

Takemitsu invariably compares his music to a walk round a Japanese garden, during which the same objects are viewed at different angles — flower, tree, rock, pond — are viewed at different angles to each other. But are they the "same" objects? In the course of a 20-minute walk, the flower will have grown slightly, the tree microscopically. Within a Takemitsu composition, too, change occurs on different levels at different speeds.

His latest piece, which the London Symphony Orchestra commissioned and will premiere on Sunday, is called *Quotation of Dream* — Say sea, take me! Takemitsu has a penchant for titles that hint enigmatically at some mystical outdoor experience: *A Flock Descends into the Pentagonal Garden* is a typical instance. And his description of this new piece also has its sphinx-like moments.

"I live in a suburb of Tokyo. Nearby is an artificial lake. One day the lake was drained, because scholars were carrying out archaeological work. I went in watch, and was surprised to see that in the bed of the lake was a beautiful stream, which the lake usually covered. Suddenly I was so moved. It reminded me of the ocean: a huge piece of water, but with many different waves and characters concealed within it. I realised my music should be like that. "The title comes from



Takemitsu compares his music to a walk round a garden, during which the same objects are viewed at different angles

Emily Dickinson. Out of the world 'sea' I derived the notes S-E-A [S is the Continental name for E flat]. These notes are the origin of the music. Then you will hear quotations from Debussy's *La Mer* drifting in and out."

Takemitsu has straddled Eastern and Western musical traditions more successfully than any other composer in history. He uses a symphony orchestra, but writes as a man steeped in traditional Japanese music. That is odd, because in his formative years he found the culture of his native land repulsive.

"I decided to be a composer just after the war, when I was 15. During the war in Japan it was forbidden to listen to most Western music: a stupid idea. When war ended we, the young people, were desperate to hear modern European music. I taught myself music by listening to broadcasts of Stockhausen, Boulez, Nono. I didn't know anything about traditional Japanese music — and I hated everything to do with Japan, because of what happened in the war."

His rediscovery of his Japanese musical roots happened much later, sparked by a chance visit in the mid-1950s to the Bunraku puppet theatre. Does he now feel a

conflict between the influences of East and West? "Of course. There is a huge difference between the Occidental and the Oriental mentalities. When I compose I am aware of a contradiction inside me. But I don't wish to resolve it. It is itself a form of expression. After all, East and West, we are all facing the same problems of survival."

Takemitsu cannot be accused of viewing his own country through rose-tinted spectacles. "In Tokyo now we have nine professional orchestras! It is too much. They are competing with each

other, playing exactly the same repertoire.

"As for traditional Japanese music, that is struggling to live. The *biwa*, the lute, is made from a maple tree; now in Japan we don't have maple trees anymore. And the plectrum is made from the yellow willow tree; now, no willow trees are left. And the *shakuhachi*, the flute, is made from bamboo; now the bamboo is disappearing. Our specially Japanese musical sensibility is disappearing, too. Our musicians' ears are becoming attuned to the Western scale."

"Japan has risen so fast. Sometimes I regret that; it brings closer the day when we will have just one global culture. We should slow that process down, take more notice of individuality. I believe we are carrying a cosmic egg, which technology will one day hatch. We should delay that hatching for as long as we can, because out of the egg may come some monster."

Apocalyptic words from a frail figure. But while Takemitsu is around to encapsulate the aural wonders of flocks descending into pentagonal gardens, there may yet be hope for civilisation.

• "The Takemitsu Signature", which includes films for which Takemitsu wrote the music, runs from today until Sunday at the Barbican (071-638 8891).

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## PETER HALL COMPANY IN THE PLAYHOUSE

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## Conor Cruise O'Brien

Charles Haughey will not be able to cling to office for long, once scandalised Ireland goes to the polls

It looks as if Mr Haughey will survive long enough to lead Fianna Fail into the next general election, which cannot now be long delayed. Fianna Fail is frightened by this prospect, as well it might be. The financial scandals, all with Haughey crones at their centre, daily dominate all the front pages. In an unprecedented move, four respected Fianna Fail deputies last week publicly criticised Mr Haughey's leadership. One of them estimated that in a general election, Fianna Fail would lose "10 to 20 seats" — the worst showing since the party first came to power in 1932.

The four dissidents have been neither repudiated nor supported. It seems to have been tacitly agreed that a decision on the leadership will be deferred until the reports of the official enquiries into the various scandals are all in. Mr Haughey has assured his party that they would "vindicate" himself and his government, but they are unlikely either to vindicate or to incriminate. Mr Haughey himself took care of this when he arranged that the terms of reference of the tribunals should not allude to the responsible ministers and departments. Mr Haughey's assurances of vindication-to-come are hollow, though at present acceptable to his party, because they let the waverers off the hook. For 12 years now they have been conditioned to do as the Boss tells them. Many of them remember with a shudder the GUBU scandals of 1982, and Mr Haughey's ruthless forcing out of the rebels. They do not want to go through that again, nor is there any clear successor. So to defer a decision by pretending that there is nothing to decide has been the most attractive option thus far.

Attractive, yes, but dangerous. While they are dithering, the coalition government may disintegrate at any moment, so delivering the ditherers over to the mercy of an angry electorate. John Bruton, the able and respected leader of Fine Gael, is wisely emphasising that it is the government as a whole, and not just Mr Haughey, nor even Fianna Fail, which must bear responsibility. By emphasising governmental responsibility, Mr Bruton is striking this government in its most vulnerable area: hitting the junior partner in the coalition, Des O'Malley's Progressive Democrats. Under Mr Haughey, Fianna Fail has become accustomed to scandals and to the Haughey style of dealing with them: stout denial, brazen it all out, shout down the opposition, suggest British influence is at work in the denigration of the nation's only truly national party.

At the beginning of the present phase of financial scandals, much was made of the fact that the allegations of misbehaviour by the Goodman beef empire were first made on a British television programme, *World in Action*. Now that the truth of at least some of those allegations appears about to be demonstrated, no more is heard of the "British plot". Last week the government was striking

a "get tough with Goodman" posture, as the Gardaí raided Goodman premises. The government's novel display of vigilance may well be due to the insistence of Progressive Democrats. For the Progressive Democrats, the present scandals and the noise of Fianna Fail brazening them out are exquisitely painful, recalling as they do a political trauma of the recent past. For they are former members of Fianna Fail, who succeeded in protest against the GUBU scandals. Fianna Fail and the Progressive Democrats together are now up to their necks in GUBU Mark II. Nobody believes that the Progressive Democrat ministers were personally involved in misbehaviour, but they have to accept their share in the collective responsibility, and the longer they remain in government the larger that share is likely to appear. At present, their strategy is to hold on and prevent a cover-up.

Even if there were no scandals, the government would still be in trouble. The country is in serious economic difficulties, and a hair-shirt budget is predicted for January. But the scandals are compounding the difficulties, because trade unionists are unwilling to accept pay restraint while they are learning about the rip-off of many millions of Irish taxpayers' money at the hands of Mr Haughey's favourites. The Progressive Democrats are demanding tax cuts in the next budget, but seem unlikely to get them. So they may well resign over the budget, if they have not resigned earlier over the scandals.

Either way, Mr Haughey will probably still be leader of Fianna Fail when the government collapses. He will not retire voluntarily, and his party does not look capable of getting rid of him during the lifetime of this Dáil. The next Dáil will be another matter. Fianna Fail will have many fewer seats. A poll at the weekend showed the party 11 points down in the last six months. Yet, even in its diminished state, Fianna Fail will almost certainly still be the largest party. Hardcore supporters would vote for Fianna Fail even if it were proved to have plotted the assassination of the pope. In the new Dáil, Fianna Fail will hope to form a new coalition, but any conceivable potential partner will insist that Mr Haughey go first. In those circumstances, most people in Fianna Fail will gladly accept. In many ways, Mr Haughey will have left his people a damaging legacy. But he will have done one service to Irish democracy. He has cut Fianna Fail down to size, humbled it, and rendered incredible its claim to be the sole legitimate representative of the nation. Mr Haughey didn't intend to do anything of the kind, of course: quite the contrary. But that is the price Fianna Fail must pay for choosing the hero of the 1970 arms trial as its leader and then supporting him through scandal after scandal. It seems an appropriate price.



John Bruton: seeks to blame the whole government

The high speed line via Stratford could transform our transport policy, argues Tony Ridley

## Rail's missing link

One can safely bet that there are some sort of heads in British Rail this morning. After a false start, including an abortive attempt to persuade the government to accept a public-private partnership proposal, they put together a competent management team, which worked long and hard on their scheme for the Channel Tunnel link.

Many will see the announcement by transport secretary, Malcolm Rifkind, in favour of the Ove Arup route as a defeat for BR, for although the winning route matches BR's for nearly half its length, it is totally different in its approach to London.

The government decision might even prove epoch-making, but only if we now have the makings of a strategy which will transform the prospects for railways in this country, and if the decision is not an excuse for delay and cost drift. As a professional, one is bound to congratulate Arup (incidentally, despite Danish connections, the firm is British through and through). It is very rare for a consulting engineer to go out on a limb and promote a massive

scheme on its own, and to spend what must have been a considerable sum of money up-front. Happily, BR worked closely with Arup in comparing the two schemes, and paid Arup for that collaboration. More recently, as decision day drew closer, there have been rumours of tension as each was said to be manoeuvring its own scheme into pole position.

Others will see the announcement as a victory over the Department of Transport, which backed BR, by the Department of the Environment and, in particular, by Michael Heseltine. Undoubtedly the Heseltine "vision" for east London and the Thames Estuary played a part, but it is also significant that Mr Rifkind's constituency is in the north and that he has declared a desire to see a transfer of freight from road to rail.

The Arup scheme does have a significant freight dimension, and how this will develop and how the route will be shown to serve the north, north-west and midlands must be discussed in detail. The need to tie together major land-use and transport issues has played a major part in the decision. In these times of increasing often debilitating congestion, both public and professional are crying out for the two to be taken together. Environmental considerations may have taken precedence over more immediate transport and commercial issues. Cynics will argue that the choice minimises the number of Tory seats at risk over the question of the tunnel link. But a decision which unites Gerry Bowden, Tory MP for Dulwich, who does not want the link in south London, and Tony Banks, Labour MP for Newham North-West, who does want it in east London, cannot be all bad.

Perhaps vision and strategic thinking are coming back into vogue. Perhaps it has been recognised that the market alone is not very good at making decisions on major infrastructure projects. The saga of the link has increasingly been one of muddle and confusion, particularly in comparison with the approach of our French colleagues. At last, perhaps, the government is showing leadership and setting frameworks for professional planners and engineers, it is also essential for businessmen and entrepreneurs. During the 1980s there was as much complaint about the lack of a framework from what appeared to be natural Tory supporters as there was from the left.

There is a long way to go. BR is being asked to work with Arup on a scheme which is not its own, to a stage when it can be handed over to the private sector. There are bound to be problems of managerial psychology here. We must also ensure that inventive financing schemes are developed, and not hamstringed by Treasury rules.

Those involved must also recognise that the project is a transport system. As the Channel Tunnel has shown, we have more than enough talent to build tunnels successfully, indeed brilliantly. Developing a transport system is much more difficult, as the Channel Tunnel is also showing. Amid the euphoria of the "unblighted" there will be some who are disappointed. Every scheme has some environmental problems. Not everyone downstream of London will want to entrench about a Thames "corridor of opportunity".

If this decision can be implemented quickly, it means that land-use and transport decisions are to be taken together in future, if freight movement past the bottleneck of London is now high on the agenda, if the north is taken care of, then it is greatly to be welcomed. If it merely kicks the problems into touch in order to save a few Tory seats, it is not. We can only hope.

The author, professor of transport engineering at Imperial College, was a director of Eurotunnel.

## Salt of the earth flavour

Bernard Levin savours a case as inconsequential as it is crisp and reassuring

Have you ever stopped and thought why this country is by far the best to live in? Yes, we are a democracy, the weather, though changeable, has nothing like the extremes of heat and cold that other lands suffer, we murder each other surprisingly rarely, our political rivalries are not serious, we have the Morris men to entertain us, even our banks do not lose all our money — but the catalogue of our good fortune could be prolonged for hours.



What we need is a single definition of our good fortune, one which makes us smile as soon as we think about it, and which is guaranteed to make us feel pleased to be alive, and particularly to be alive in Britain. I have found it. A body called the Committee of Advertising Practice has a remit to frown upon advertisers who make claims in excess of what the facts support. So far so good. If I am a manufacturer of sausages, and I proclaim in print and on the airwaves that my products are not only the most succulent ever made, but that they stop hair falling out, improve sexual capacity, keep dangerous dogs at bay and poison the rent-collector, I take it that the Committee of Advertising Practice will have a word with me, suggesting that I am coming it a bit too strong.



But where is the line to be drawn between mild boasting, which any manufacturer must be surely allowed, and preposterously baseless exaggeration? Well, the Committee of Advertising Practice have recently adjudicated on a case that must have used up a dozen of their finest pencils on the drawing of line. Golden Wonder Potato Crisps had been advertising themselves by saying that their crisps "taste better than the other premium brand". This could have been thought of as a low blow, for



"the other premium brand" is instantly recognisable as Walkers Crisps. But that was not the *casus belli*. The crux was that Golden Wonder had claimed not only that their crisps taste better than those of their rivals (a matter notoriously difficult to adjudicate upon), but that the public, asked for its opinion in this grave matter, had voted with its pocket: Golden Wonder insisted that 60 per cent of a presumably reasonable sample had stated a preference for Golden Wonder over Walkers.



Not so, cried Walkers with something like a sob in their voice: their independent research showed with reasonably indisputable certainty that most of the crisping community preferred Walkers to Golden Wonder any day. Pistols for two and coffee for one. The Committee met; it studied the agenda: Golden Wonder v Walkers, the crisp-eating public intervening. And it came down on the side of Walkers. The adjudication, like a roll of thunder, was that Golden Wonder's argument was not "sufficiently rigorous to support the claim". Ladies and gentlemen, it has been conclusively determined that, however delicious Golden Wonder Crisps may be, they must not advertise themselves as more popular — let alone 60 per cent more popular — than Walkers Crisps.

And here is my evidence that this country is the best to live in, anywhere in the world: I truly do believe that there is no other nation in which the claims of two rival varieties of potato crisps having clashed, a sober body would meet, consider the evidence, and hand down a verdict.



...and moreover  
**CRAIG BROWN**

I often think I must have suffered a trauma at an early age within the grim confines of a shoe-shop. Of course, no child likes buying shoes, especially as the slogan "Never Knowingly Overstuffed" seems to apply with a particular vengeance to the children's shoe department. When I was a child, my mother would take me and my brothers up to London to the dentist twice a year. With our mouths still numb and the gas still seeping through our ears, we would then, more often than not, have to pop into the shoe-shop just across Sloane Square to take our place in the Moscow-style queue for new shoes. Perhaps my aversion to shoe-shops, which has been with me ever since, stems from the bizarre link in my mind between the dentist's drill and a new pair of Start-Rite sandals. Certainly, it is now hard for me to walk into a shoe-shop without walking out again within five seconds.

On the other hand, there are plenty of completely adult reasons for finding men's shoe-shops so miserable. There is a hushed and furtive air about them which one never finds in a butcher's or a boutique, a joylessness among their customers born of an awkward mixture of embarrassment and boredom. The staff, too, tend to the poker-faced; whenever I enter a shoe-shop, I find myself confronted by massed armies of staff, at least one for each shoe on display, all looking daggers at me, with exasperated "I-suppose-it's

shoes-you're-after" expressions carved upon their faces. The briefest survey of the stock in a man's shoe-shop makes it clear that this furtive atmosphere is intimately bound up with the repressed fantasies of the average Englishman. The men's shoes on offer, even in supposedly sober stores, are festooned with buckles and bobbles, tassels and woggles, finery patterns and superfluous stitches. It is as if every man in the country has a secret urge to dress up Carmen Miranda, but is forced by propriety to restrict the fetish to his feet alone.

When I worked for a year as the *Times* sketchwriter in the House of Commons, I wore a very plain pair of shoes, with no fuss or nonsense to them, in a pleasant shade of green. Virtually every day, an MP or another journalist would scoff and cackle at these nice plain green shoes. (To Mr Denis Healey, they were proof positive that I was a pop star, and whenever we passed in the corridor or on the stairs he would engage me in discussions about developments in the world of rap, on which, it emerged, he was a keen expert.)

Each time my shoes were tilted at, I made a point of looking at the diner's own footwear, invariably a modest brown or black but with an array of bits and bobs in shiny gold, weird baroque flourishes in sculpted leather, and odd pleats and ruffles to toes. In the country of the blind, I comforted myself, the green-shod man is King.

## The enemy within

ASTORY representatives cheered Mrs Thatcher's arrival on the conference platform yesterday, one voice could be heard above the rest calling on her to say a few impromptu words. When the chant "speech, speech, speech" went up, would-be Labour MP Peter Mandelson was the self-appointed cheerleader.



"I thought a contribution from the former prime minister would have been constructive, useful and in everyone's interests," he says. And especially Labour's. Mandelson, Labour's former communications director and beguiler of the red rose, is admitted by the Tories as a member of the press corps. He is reporting for the *Sunday People*. The Tories regard him as a cross between Mephistopheles and Machiavelli.

Shaun Woodward, who as communications director at Smith Square does the same job for the Tories as Mandelson once did for Labour, went out of his way to welcome his surprising guest to Blackpool's Winter Gardens. Shaking him warmly by the hand, Woodward says, "I told him I was delighted to welcome someone who had come to learn from the experts, someone who had come to see the real thing."

Yet while most journalists are deluged with invitations to fringe meetings, parties and receptions, Mandelson has received but one, from the Scotch Whisky Association. "I don't think anyone else knew I was coming," he insists. Mandelson admitted he had attracted some nasty stars. "I have been likened to the Grim Reaper," he says. Undaunted, he has gatecrashed fringe events including one with William Waldegrave,

Really? "We were researching the possibility anyway, but in fairness we did bring forward our plans to do something else." A wise move, with the Foreign Office still advising British tourists



who was urging hospitals to establish leagues of friends. "Waldegrave is probably one man in the conference hall with even fewer friends than me at present."

But top of his priorities was an entree to Lord King's British Airways reception last night. Mandelson says: "I was delighted the Tories gave me a chance to tell Lord King that now he is withholding BA's £40,000 donation from the Tory party he should switch allegiance to us."

## Sweet sorrow

DESPITE being told to pack his bags after supporting the coup against Gorbachev, Leonid Zamiatin, the Soviet "ambassador" in London, is finding it hard to leave. His deputy, Vladimir Ivanov, is now running the embassy, but Zamiatin is currently back in town, although no one seems to know how long for. The embassy is exasperated and British diplomats are said to be perplexed. The Foreign Office says: "We certainly still recognise Zamiatin as the *de jure* Soviet ambassador. Whether he is *de facto* is more difficult to say."

## I'll go mine

BOWING, perhaps, to the inevitable, Yugoslavs have decided to call it a day. Next week, the Balkan travel agent will launch its new brochure, under the name Med Choice. It will offer holidays in Greece, Turkey, Malta, Cyprus and Majorca — anywhere, in fact, but Yugoslavia. "Our decision to develop a new market was not entirely brought about by events in Yugoslavia," says a spokesman.

Replacement to be someone whose thinking is a little more in tune with the current regime. How about Gennadi Gerasimov, currently marooned in the embassy in Lisbon?

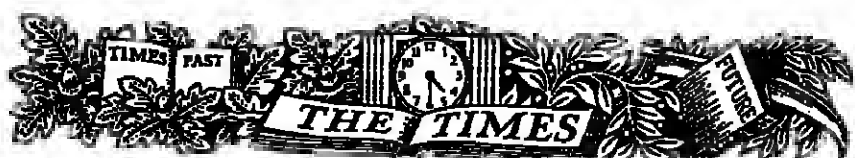
## Joining forces

THE CITY was awash with rumours yesterday that two of the nation's most famous PR men, Sir Tim Bell and Peter Gummer are discussing a possible link between their companies. Despite denials from Bell's company, Lowe Bell Financial, and silence from Gummer, chairman and chief executive of Shandwick, the industry's trade magazine, *PR Week*, splashed the story in its first issue under new editor Desmond Quigley.

"I stick by the story," says Quigley. "Reputations are too short for me to risk putting my neck on the block in my first issue with a complete flyer. Whatever they say, Gummer and Bell — who was Mrs Thatcher's favourite ad-man — are talking seriously. What is done and when remains to be seen." He promises further revelations about the link next week.

In another move between the worlds of politics and PR, Mrs Thatcher's former right-hand man, Sir Bernard Ingham yesterday joined the board of Hill and Knowlton, where he will form an intriguing partnership with Tom McNally, senior aide to the man she succeeded in Number Ten, Jim Callaghan.





## DUCKING THE LINK

There is to be no high-speed rail link from France to London in the foreseeable future. Faced with having to give the final yes to the route which the government had happily allowed to British Rail to plan for the past three years, ministers took a deep breath — and buried their heads in London clay.

Yesterday the transport secretary, Malcolm Rifkind, had to announce defeat for the railmen at the hands of the Treasury and the environment department. Instead of the planned route up, through and under south London to Waterloo and King's Cross, an alternative route through Stratford, and then tunnelling into King's Cross from the east, is to be plotted instead. Since this route is merely a line on a map, the only real decision announced yesterday is not to go ahead with the southern line, a de facto postponement of a decision on the high-speed link for a further two years of "study".

Some £200 million of money has been spent on this abortive project so far, most of it coming from BR passengers. As all the demerits of the southern route have emerged over the past three years, so the demerits of the eastern route now have a further two years to emerge as well. Ministers have preferred to leave to their successors the odium of planning and paying for a big infrastructure project in the hope that it will somehow go away. Mr Rifkind says that waiting until the tunnel is actually open in 1993 will "give a more precise view of when the extra capacity of the new line might be needed." Note the words "when" and "might".

The British Rail line has generally been seen as the best. It was the quickest and would open soonest. It has already been plotted, engineered, safeguarded and costed. Shafes have been dug, land bought, impact studies completed along much of the route, residents consulted. Much of the local agitation inevitable with such projects has spent itself. More important, the southern route would have had the immense advantage

of doubling as a new high-speed commuter line straight into Waterloo. The external benefits would have been considerable.

The Stratford route's original backers wanted a freight terminus to link the Channel tunnel with motorways to the north, though the tunnel was not intended to take freight trains. Nobody sensibly believes that Stratford will become a passenger terminus on a high-speed link to Paris, leaving the underground line from Stratford into King's Cross just a gleam in the eye. Commuter demand from Kent to King's Cross does not compare with that into Waterloo, whose magnificent new European terminal — under construction — will now never have high-speed access.

Of course opening up the East End of London is a good idea, though bow high-speed trains screaming past its backstreets will achieve this is obscure. Maplin airport was approved by Whitehall for similar reasons and duly abandoned. The tax-free haven of the Isle of Dogs, now afflicted with a gross oversupply of property, is having to be propped up with £1 billion of public expenditure on infrastructure. If huge amounts of public money are to be spent on such projects, they should be spent for a strictly limited planning goal, not a vaguely generalised one.

The case for the eastern route that undoubtedly appealed to the Treasury and John Major most is that it would delay decision and therefore cost. As with yesterday's postponement of London teaching hospital rationalisation, indecision is blighting Mr Major's cabinet. The time it has taken the government to make up its mind about the high-speed link has already made Britain the subject of ribald comment in the rest of Europe. Is this the decisiveness that Mr Major is determined to project against a vacillating Euro-consensus? The ribaldry will now rise to a crescendo.

## BACK-UP FOR PEACE

Can any ceasefire in Croatia hold without external assistance? Is there now a role for the United Nations? The European Community's monitors, proud of their mediation, believe that the signature of the key army commanders on both sides augurs well. Each truce in Yugoslavia — the latest is the seventh — holds both more and less promise than the last. More promise on the diplomatic front, because with every building block Lord Carrington persuades the warring leaders to add to the elusive structure of a political settlement, the more each has publicly invested in further negotiation. Less promise, because the renewal of fighting is more and more taken for granted at the grassroots.

The challenge now is to bridge the gulf between chancery and battlefield. In The Hague, Lord Carrington has extracted remarkable concessions. To have obtained Serbia's agreement last week to a future settlement based on a loose association of sovereign or independent republics, and its renunciation of unilateral changes in borders, is an amazing achievement. On paper, the outlines of peace are at last discernible. But on the ground, every collapsed truce saps popular confidence in the words of politicians and in their ability to control rogue army units and militia warlords.

The negotiations in The Hague are anything but irrelevant. The fighting will end only when each party has more to gain from peace than war. But the exercise must also have street credibility in Yugoslavia, where each village deserted, harbour bombarded and livelihood wrecked is a local tragedy which deepens mutual hostility.

Lord Carrington needs a success on the ground. So far, the British government has been right to oppose a peacekeeping force, at least in Croatia. Such forces are not there to fight, only to separate combatants who consent to separation. A conventional peacekeeping operation would be at risk of failing for the same reasons that internal truces have broken down: the refusal of local

commanders to abide by agreements. That does not destroy the strong case for a rapid preventive deployment of peacekeeping units in other Yugoslav republics, such as Bosnia-Herzegovina and parts of the Serbian provinces of Vojvodina and largely Albanian Kosovo. Successful geographical containment of the conflict would add to Lord Carrington's diplomatic leverage without internationalising the war in Croatia.

The strongmen of Serbia and Croatia, Slobodan Milosevic and Franjo Tudjman, have formally agreed to seek a political settlement. These republics would be less challenging testing grounds than Croatia for using international peacekeepers to hold them to their pledge. But now that the talks in The Hague are within sight, however distant, of a political settlement, the EC monitors need peacekeeping reinforcements available in the wings for Croatia itself.

That task is best assigned to the United Nations. The Europeans have no experience of deploying a multinational force, and Croatia is no place for beginners. Both Serbs and Croats are more likely to respect a force which has behind it the authority of America and the Soviet Union, and American logistical support would probably be needed. Military planning should begin now so that troops can be speedily positioned once Lord Carrington has obtained the requisite measure of political agreement.

That will happen sooner if both Serbs and Croats are left in no doubt that a UN force would be part of a political settlement, not an alternative to one. The UN has deployed more peacekeeping units in the past three years than in its entire previous history, but this new activism is a consequence of Soviet-American co-operation in bringing regional conflicts to the point of resolution. UN forces could prevent war from resuming by mistake, but only if the republics' leaders genuinely decide on peace. In The Hague last week, and now even in Zagreb, the first signs of that are apparent. Lord Carrington needs the UN, ready but in reserve.

## ROBOCAT'S WHISKERS

Hollywood got in first with Robocat, the robot policeman named Murphy. Now Takara, Japan's leading toy-maker, has developed Robocat, a battery-operated artificial cat named Mew, for animal lovers who prefer to inhabit a world without fleas, petfood and litter boxes.

Robocat is about the size of a large pair of fluffy slippers and comes in three choices of fur: chinchilla, tabby and American shorthair. Pat Robocat on the head, tickle his throat or stroke his back, and his touch-sensors force him into a frenzy of feline delight. His head nods, his back arches and his tail waves as furiously as if he were trying to flag down an overhead plane.

At the faintest "Here kitty, kitty" murmured within Robocat's range, his sound sensors have him purring and miaowing, like a cat shop gone berserk. Whenever the telephone rings, the neurotic creature is triggered into action. An inadvertent cough, and he is off again. But for those who can resist the urge to land a sledgehammer square on Robocat's head, he is said to make a terrific companion. Takara suggests leaving Robocat by the front door when leaving for work in the mornings, promising: "He will wait faithfully to welcome you with a jolly miaow when you return."

Takara's test sales of Robocat this summer were an unprecedented success. Undeterred by the thought that stroking a robot cat is little different from cuddling a coffee maker, thousands of women in their 20s and 30s have put their names down, ready to

snap up the first £50 Mews as soon as they arrive in Japan's pet shops later this month. "There is a demand for artificial cats," insists Takara. "Single working women don't have time or space to look after a real one." Not to mention, of course, that Robocats do not bed down in ivory silk dressing gowns or poke their paws through paper screens.

Somebody (or some robot) in Takara's oew product-development laboratory clearly has the knack of persuading millioos to lay out brisk money for such toys. It was Takara that came up with the dancing flower, a plastic pot-plant that fidgets to music. Almost nine million bought those. Next came dancing beer cans and crisp packets. And then, for Japan's tired corporate warriors in their 40s and 50s, Takara developed the "stress reducing" three-inch plastic bird which chirps every time it is moved.

Now that Takara has moved up the great chain of robotic being, the working world is clearly its oyster. Takara knows it: the company has already developed a robot dog and is now designing "greeting robots" to replace Japan's millions of bowing receptionists and lift attendants. The logical next step, in the current state of Japan's securities market, is a line in deep-bowing chief executives. With their instinct for exporting, the Japanese must surely have their eye on next year's demand for flesh-presing robot American congressmen. And if they hurry, they might even find a market here for beaming clones of John Major and Neil Kinnock.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

### Reform of the NHS and the debate on 'privatisation'

From Professor D. P. de Bono

Sir, In the current debate about the National Health Service no one seems to have defined what is meant by privatisation. General practice by common consent works well, the majority of GPs in the country are private contractors, whose services are very precisely specified and monitored by family health service authorities.

The situation with regard to hospital practice is different: although NHS hospitals, trusts or otherwise, are obliged to provide "free care", there are no legally binding or even nationally agreed criteria to specify the level of such care. If I see a patient whom I believe to need coronary artery surgery, for example, I could nevertheless fulfil the legal obligations of the NHS by prescribing pills and telling him to take life easily.

The recent NHS reforms have made a clear distinction between the providers and the purchasers of services. The onus is on the purchasers, usually district health authorities or fund-holding GPs, to specify the level of care they are prepared to purchase on behalf of patients.

What is beginning to worry patients is the possibility that purchasers, either through lack of knowledge or lack of funds, will specify an inappropriately low level of care. The patient's only recourse, provided he were aware of the situation, would then be to private treatment. It is this aspect of "privatisation" which is the most plausible and therefore most worrying.

It is obvious that no country could commit itself to a totally open-ended health budget, but patients would be greatly reassured if there were to be nationally agreed and recognised standards of care for common medical conditions, based on objective criteria as applied to individual patients.

Data are already available to establish such standards and their implementation would help to diminish present inequalities in health care.

Yours sincerely,

DAVID DE BONO,  
University of Leicester,  
School of Medicine,  
Clinical Sciences Wing,  
Glennfield General Hospital,  
Leicester.  
October 8.

From Mrs Diane Bailey

Sir, My sister, in her thirties, after eight years of deterioration from chest pains to renal disability, heart drugs, weakness, hypersensitivity

and constant pain, from self-employment to sickness benefit, was referred for hospital tests. After months of waiting she was called in at two days' notice. Immediately she faced suggestions that she have her own room — for a charge.

After x-rays the consultant said that she might have tumours in the head or spine but that only a painless, quick and clear so-called MRI scan could tell. However, for national health patients in that area there was a ration of 30 such scans a year and she did not qualify. Therefore, unless my sister could find the money, the consultant could only offer a time-consuming series of other tests, some painful, which could not be conclusive.

That scan cost my sister £700 — a concessionary reduction on the proper charge but still a third of her remaining savings — and found no tumours but spinal arthritis. There is no question of the health service refunding the money.

I cannot see that this could be a unique story. It seems to me that "reforms" have led to frightening pressure to use private medicine which, in health care, is just as much "privatisation" as any flotation or sale.

Yours sincerely,

DIANE BAILEY,  
63 Eton Place,  
Eton College Road, NW3.

From Lord Bruce of Donington

Sir, During the past decade privatisation has been at the core of Conservative party ideology, the lodestone against which all projected policies have been enthusiastically tested — and right across the spectrum, from the disposal of public utilities at the top to the subcontracting of functions in many areas of national and local government and in the NHS itself.

It seems a little odd therefore that the mere mention of the word "privatisation" in connection with the NHS should provoke such shrieks of outraged horror from the Conservative party!

Yours sincerely,

DONALD BRUCE,  
House of Lords,  
October 8.

From the Earl of Clanwilliam

Sir, Mr Crosby (October 7) rightly accuses the British Medical Association of an illogical stand against improvements in the NHS. It is surely both illogical and wrong that those patients who, he agrees, are disappointed by the shortcomings of modern medical science are denied free access to the practitioner of

their choice. It is irrelevant to patients that the medical profession regards the practice as either dubious or obscure if they have benefited in the past.

The BMA should positively support the registration of such practitioners so that their services may be freely available to the public as has already been recommended by the Medical Research Council in respect of chiropractors.

Yours faithfully,

CLANWILLIAM,  
House of Lords,  
October 7.

From Dr Richard Lawson

Sir, It would be far easier to privatise a hospital with trust status than an ordinary NHS hospital, but whether the Tories intend to take the step of privatisation is a matter of opinion.

In my opinion, to allow the health trusts to go private would be entirely consistent with the whole trend of Conservative policy under Mrs Thatcher. If William Waldegrave, the health minister, whom I respect, wishes to change my opinion he should start with a clear and simple statement that he now repudiates this aspect of Thatcherism.

Yours sincerely,

RICHARD LAWSON,  
The Old School House,  
Station Road,  
Congresbury, Avon,  
October 8.

From Mr Robert Pyke

Sir, Your editorial, "Testing time for trusts" (October 4), states that NHS trusts are expected to make profits for "consultants and drug companies". If that is really so, how does one explain the rejection of trust status by so many consultants? I regret what seems to me your hostility towards a group of individuals whose work for the NHS is unstinting.

Yours faithfully,

ROBERT PYKE,  
The General Hospital,  
Northampton.

From Mr Michael W. G. Phillips

Sir, Tomorrow I have a dental appointment and will be expected to pay for my treatment. On Friday, I have an appointment with my optician's and, once again, I will have to pay. How long will it be before I have to pay when I visit my local hospital?

Yours faithfully,

M. W. G. PHILLIPS,  
18 The Causeway,  
Partridge Green, West Sussex.  
October 7.

### Helping the Poles?

From Sir Stephen Spender

Sir, Last night, in a programme called *Troubleshooter on Eastern Europe*, viewers of BBC2 were treated to the spectacle of a former chairman of ICI, the ebullient Sir John Harvey-Jones, touring factories in Poland and advising their managers on how to adapt or transform their methods of production to those of capitalist privatisation.

Sir John was also seen lecturing the Polish president, Lech Walesa, and registering disagreement with him; and putting down three fellow businessmen (one of them apparently an American) in a restaurant without their being able to get more than a few sentences into the conversation.

As it seemed to me, he spoke down to the Poles in a manner which I suppose to have been that of a hundred years ago, of colonisers to "natives". At one moment he emerged from a meeting saying into the camera that he had just been treated to "a good old load of Polish bullshit". This was not said in the presence of his Polish colleagues; but presumably this programme will be looked at by Poles. They will get the message.

Did the BBC put forward this hectoring of Polish managers by this incoherently patronising *faux-bonhomme* as an exemplary illustration of the way in which British businessmen are providing guidance to managers of industries in Eastern Europe? One wonders.

Yours etc.,

STEPHEN SPENDER,  
15 Loudoun Road, NW8,  
October 4.

### High note

From Mr T. I. Roberts

Sir, The confusion between *Aida* and *Nabucco* (letter, October 1) is nothing unusual. A recent candidate for articles with this firm has just informed me that she sang in the chorus to her school's production of Gilbert and Sullivan's *South Pacific*.

Yours faithfully,

IAN ROBERTS,  
Booth & Co (Solicitors),  
Sovereign House,  
PO Box 8, South Parade,  
Leeds, West Yorkshire.

In the meantime, at Chelmsford Cathedral, we are already attempting to address the problem. In addition to our courses of training for parish musicians we have established two organ scholarships at the cathedral. The scholars perform the functions of the former assistant organist and gain valuable experience in choir-training and organ playing while reading for degrees in London.

Yours faithfully,

GRAHAM ELLIOTT  
(Master of music),  
Chelmsford Cathedral,  
The Cathedral Office,  
Guy Harlings, New Street,  
Chelmsford, Essex.  
September 30.

### Resignation of Sir Allan Green

From Baroness Mallett, QC

Sir, Now that others have taken the decision that Sir Allan Green is not to be prosecuted (report, October 7), it would be a decision of both compassion and wisdom to reinstate him to the post which he has held with great distinction.

I, for one, would prefer the conduct of prosecutions to be in the hands of someone with some understanding of human frailty who has shown that he also has the courage and integrity to face up to its consequences.

Yours faithfully,

MALLETT,  
6 King's Bench Walk,  
Temple, EC4,  
October 7.

From Mrs J. Inglis

Sir, Pace Clifford Longley (October 5), I was under the impression that Sir Allan Green resigned, not because he had offended some Victorian standard of respectability, but because he had broken the law; that the law against kerb-crawling was intended to protect women from harassment rather than to reduce prostitution, save prostitutes or improve the moral climate; and that, in Longley's words, "the selling of sex for profit" is neither "out-lawed" nor illegal, only public soliciting.

Yours faithfully,

J. INGLIS,  
Friars Hall, Caldecott Hill,  
Barnet, East Sussex.

From Mr Michael Meyer

Sir, If adultery is proof that a man is unfit for high office, Nelson should not have been in command at Trafalgar.

Yours etc.,

MICHAEL MEYER,  
4 Montagu Square, W1,  
October 5.

From Miss Barbara Dorf

Sir, "A personal tragedy". Indeed it is. For the unfortunate women circumstances have driven to prostitution in the back streets of King's Cross.

Yours etc.,

BARBARA DORF,  
11 Pembroke Villas, W11,  
October 4.

### EC and the law

From Mr Charles P. Reed

Sir, With the greatest respect to Lord Mackenzie-Stuart (October 3) there should be no playing down of the dangers of judicial activism from the members of the European Court of Justice.

In the task of interpreting EC laws the ECJ behaves totally unlike an English court, which will deliberately operate a strict literal approach to domestic statutory construction in order to avoid charges of policy-making. The judges of the ECJ have always enjoyed a wider discretion than their English counterparts, so that in interpreting EC laws the ECJ has been able to choose between competing policy objectives.

But the ECJ has gone further by creating its own policy objectives, probably the most notable being the desire to harmonise EC laws, even if this has meant departing from the literal wording of particular texts and bringing about a vast extension of directly applicable EC laws.

It is this kind of judicial activism which undermines not only national sovereignty but also the role of the Council of Ministers and the Commission as the legitimate policy-making organs of the European Community.

Yours sincerely,

CHARLES P. REED,  
Holborn College,  
200 Greyhound Road, W14,  
October 3.

### Aux armes, citoyens!

From Mr Aurian de Maupeou

Sir, Because of so many loopholes, French service *militaire* can no longer be seen as *universel et obligatoire* (letters, September 14, 25). Here in London, for instance, there are some 30 or 40 bright lads doing their "cooperation" pen-pushing in various French offices instead of roughing it out over the *parcours du combattant* of yesterday.

Why then are dual-nationals liable to call-up in France when French-only nationals can be seen in London, *passant leur temps fort joliment*?

Yours faithfully,

AURIAN DE MAUPEOU,  
2 Bishops Close,  
Chiswick High Road, W4.

### Caught out

From Mr K. L. Samant

Sir, With the business and sports coverage sharing the same section of *The Times*, confusion can arise. Whenever you mention MCC, the cricket fans like me instinctively think of the Marylebone Cricket Club.

It never occurs to us that you are referring to the mundane doings of Maxwell Communication Corporation, as today with "Deal of disagreement on MCC sale".

Please spare us such heart-breaking headlines.

Yours faithfully,

K. L. SAMANT,  
30 Regency Lodge, Adelaide Road,  
Swiss Cottage, NW3,  
October 8.







**BIRTHS**  
**ADAMS** - On October 2nd, 1991, a son, Nicholas John, a brother for William.

**BELCHER** - On October 7th, 1991, a daughter, Georgia Louise, a sister for Sophie Charlotte.

**BENTLEY** - On August 7th, 1991, at St Thomas's Hospital, a son, Nicholas John, a brother for William.

**COLLIER** - On October 6th, 1991, a son, Phillip Thomas, a brother for William.

**COKE** - On October 27th, 1991, a daughter, Lucy Sarah, a sister for Simon and Michael.

**CROMBIE** - On October 26th, 1991, a son, Nicholas John, a brother for William.

**ENTWISTLE** - On October 8th, 1991, a son, Duncan Edward, a brother for William.

**GRAHAM** - On October 19th, 1991, a son, Nicholas John, a brother for William.

**HARRIMAN** - On October 19th, 1991, a son, Nicholas John, a brother for William.

**HATHAWAY** - On October 5th, 1991, a son, Nicholas John, a brother for William.

**IDE** - On October 2nd, 1991, a son, Nicholas John, a brother for William.

**KATHERINE** - On October 2nd, 1991, a son, Nicholas John, a brother for William.

**LUCAS** - On October 2nd, 1991, a son, Nicholas John, a brother for William.

**MAXWELL** - On October 2nd, 1991, a son, Nicholas John, a brother for William.

**PAWSEY** - On October 2nd, 1991, a son, Nicholas John, a brother for William.

**PINCH** - On October 2nd, 1991, a son, Nicholas John, a brother for William.

**ROOPE** - On October 2nd, 1991, a son, Nicholas John, a brother for William.

**WEDD** - On October 2nd, 1991, a son, Nicholas John, a brother for William.

**DEATHS**  
**COBBETT** - On October 9th, 1991, a son, Nicholas John, a brother for William.

**ERKINE-HILL** - On October 7th, 1991, a son, Nicholas John, a brother for William.

**GADD** - On October 8th, 1991, a son, Nicholas John, a brother for William.

**GLENNIE** - On October 7th, 1991, a son, Nicholas John, a brother for William.

**HAWLEY** - On October 8th, 1991, a son, Nicholas John, a brother for William.

**KATHERINE** - On October 2nd, 1991, a son, Nicholas John, a brother for William.

**LUCAS** - On October 2nd, 1991, a son, Nicholas John, a brother for William.

**MAXWELL** - On October 2nd, 1991, a son, Nicholas John, a brother for William.

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**WEDD** - On October 2nd, 1991, a son, Nicholas John, a brother for William.

**WOLFE** - On October 2nd, 1991, a son, Nicholas John, a brother for William.

**RUSSELL** - On October 7th, 1991, a son, Nicholas John, a brother for William.

**SAMUELS** - On October 7th, 1991, a son, Nicholas John, a brother for William.

**MCKENZIE-HILL** - On October 7th, 1991, a son, Nicholas John, a brother for William.

**SHORTT** - On October 8th, 1991, a son, Nicholas John, a brother for William.

**SIDNEY-WILKINSON** - On October 8th, 1991, a son, Nicholas John, a brother for William.

**DEATHS**  
**SHORTT** - On October 8th, 1991, a son, Nicholas John, a brother for William.

**SIDNEY-WILKINSON** - On October 8th, 1991, a son, Nicholas John, a brother for William.

**YOUNGS** - On October 8th, 1991, a son, Nicholas John, a brother for William.

**COSGRAVE** - A Thanksgiving service for Norman Cosgrave.

**IN MEMORIAM - PRIVATE**

**BATTCOCK** - On October 8th, 1991, a son, Nicholas John, a brother for William.

**HAWLEY** - On October 8th, 1991, a son, Nicholas John, a brother for William.

**KATHERINE** - On October 2nd, 1991, a son, Nicholas John, a brother for William.

**LUCAS** - On October 2nd, 1991, a son, Nicholas John, a brother for William.

**MAXWELL** - On October 2nd, 1991, a son, Nicholas John, a brother for William.

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**RUSSELL** - On October 7th, 1991, a son, Nicholas John, a brother for William.

**SAMUELS** - On October 7th, 1991, a son, Nicholas John, a brother for William.

**MCKENZIE-HILL** - On October 7th, 1991, a son, Nicholas John, a brother for William.

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**ALL MATCHES AVAILABLE**

**RUGBY WORLD CUP**  
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# THE TIMES

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## CINEMA GUIDE

**Geoff Brown's assessment of films in London and (where indicated with the symbol £) on release across the country.**

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## Fiery end to a musical Ring

OPERA  
Götterdämmerung  
Covent Garden

BY THE end, even the tunnel set seemed not such a bad place in which to have spent 15 hours that had been the history of the universe. Partly the benevolence must have come from a kind of prison solidarity, sharpened by the knowledge that we were about to escape. Partly, too, it must have been a spill-over from the orchestral purpose and clamour that had distinguished this *Ring*, and from the heroic central performances projecting themselves into and through the final episode.

But also, seen whole, Götz Friedrich's production began to win admiration at least for its consistency, reinforced here by cross-references. Hagen's discovery of Siegfried in the last act, his henchmen trapping the hero in torchbeams, suddenly made sense of what had seemed a merely adventurous moment in the *Walküre* staging. And the cycle ended - though this was nothing new - with the stage set up for the opening of *Rheingold*, as if it were a cycle indeed and not a long unfolding, dissipating line.

Then again, this *Götterdämmerung* is individually the most visually striking and successful of the four evenings. The giant film-strips of



Burning bright: Gwyneth Jones (Brinnhilde) and René Kollo (Siegfried)

On Tuesday night she just seemed to get better and better: the strength was always there, of course, but from the second act onwards it was being welded with thrillingly carefree in his recollection of the woodbird to remind one how Siegfried connects with all of nature except the human.

René Kollo's Siegfried was by no means all overshadowed. He was in much stronger form than last week, and in his narration caught an easy, conversational tone, becoming bright

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Alberich brought out all the son's greater physicality and disdain in a marvellous play of thickly brushed Indian ink against Washiche's charcoal line.

Donald Maxwell's Gunther would be a wonderfully appalling achievement even if he never opened his mouth: everything about him is creepy, cold and slimy. Karan Armstrong also works to intensify the character of Gunther, and succeeds in making her into something of a scornful femme fatale, despite the fact that the part is vocally a bit low for her. Similar problems for Linda Fiedler as Waltraute were more disabling, and the singing of the Norms was far from authoritative.

What was absolutely sure, vivid and transparently was the conducting of Bernard Haitink, here as through so much of the cycle. Particularly impressive was the gravity of the deep brass and woodwind playing, the sense that the drama rests and progresses on a breathing bass line, one which, in this last part of the cycle, has become none too reliable as a guide even to the immediate musical future. But the whole orchestra appeared gripped, or rather enabled, by Haitink's vision: there were beautiful, free, looping lines from the clarinets before the Waltraute scene, and from the strings sudden flowerings of light.

This musical excellence must be the principal justification of the Royal Opera's *Ring*, and it is enough. One can dream about what might have happened if Lyubimov had seized the challenge offered him, but there can be no doubt that Covent Garden was right to drop the pilot after the disastrous *Rheingold* of three years ago, nor that Friedrich's Berlin production was the only real alternative. And it will, no doubt, go on providing a decent enough conveyance for singing and playing of the sort we have been hearing. Meanwhile, those looking for a new way of seeing the *Ring* will be casting their eyes north, to the Scottish Opera *Walküre* soon to open.

PAUL GRIFFITHS

On Tuesday night she just seemed to get better and better: the strength was always there, of course, but from the second act onwards it was being welded with thrillingly carefree in his recollection of the woodbird to remind one how Siegfried connects with all of nature except the human.

René Kollo's Siegfried was by no means all overshadowed. He was in much stronger form than last week, and in his narration caught an easy, conversational tone, becoming bright

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CONCERT  
LPO/Tennstedt  
Festival Hall

The public and private faces of Wagner were starkly juxtaposed in Klaus Tennstedt's concert with the London Philharmonic on Monday night. Where the *Overture to Die Meistersinger* resonates with hyper-inflated rhetoric and grand ceremonial, the *Siegfried Idyll* is unique in Wagner's output as an intimate expression of his love for his wife Cosima, for whose birthday it was

written ever established any situation more laboriously and repetitively than Stephen Mallatratt in *The Glory of the Garden*. Has one ever proceeded to erect so frail a superstructure on these feeble foundations?

No wonder much of the audience, possibly there to see Jill Gascoine, spent Robin Herford's production sitting quiet and motionless in their seats. Had they done anything bouncy or loud, like laugh, the whole edifice might have come tumbling down.

Russell Dixon plays the theatre manager, a flummoxed blob with a rumpled blue-green suit and ginger hair that looks as if it is sweating. By way of emphasising that he is supposed to be funny, he speaks in prose that veers from the stilted to the lapidary, and sometimes contrives to be both at once. "The great dramatist in the sky sketches in his scenes with sledgehammer blows and irony", that sort of thing. Among those around him are a male rock-singer amusingly called Alice, a crazed deconstructionist and local nationalist who sees himself as a blend of Oswald Mosley and Vladav Havel, this gentleman's comically frustrated wife, and a middle-aged masseuse, who wears a black lace

Still, decent comedies have sometimes been built on silly premises. The real trouble is that, by my watch, the above information takes three-quarters of an hour to emerge. Has a play-

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# Fall in house prices dashes market hopes

By CHRISTOPHER WARMAN, PROPERTY CORRESPONDENT

HOUSE prices fell by 0.8 per cent last month and by 1.1 per cent in the quarter to the end of September, dashing hopes that the market might show signs of recovery by the end of the year, according to figures from the Halifax Building Society yesterday.

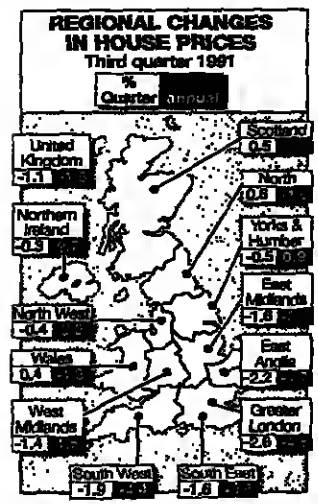
The further decline means that the value of housing in the United Kingdom fell by 2.5 per cent over the year to the end of September, with

we anticipated. The number of houses bought and sold has not recovered as interest rates have fallen and houses have become more affordable. Demand has been held back by the extremely deep recession which is being reflected in the rising unemployment figures. "Although the number of transactions might increase later in the year, the increased demand would feed through to house prices slowly."

Figures from the Inland Revenue indicated an increase in property transactions of 16 per cent to 129,000 in July compared with the previous month, giving hopes that the market had stirred into action, but the number fell back to 113,000 in August, traditionally a quiet month.

The agent Barnard Marcus reports an increase in sales turnover from January to September 1991 of 1,000 compared with the previous year, but that is still short of the turnover of 10,464 recorded for the same period in 1989. Barnard Marcus believes that prices have levelled out in greater London, while its parent company, Royal Life Estates, says that in the southern region confidence is returning. As the accompanying table shows, the pattern of price changes in the past quarter has been patchy, with increases in places as far apart as Aberdeen and Tunbridge Wells, while York, Reading and Sevenoaks have all seen falls. One small sign of hope is in the latest figures for house building from the environment department, which show that in the three months from June to August 1991 total starts were up by 6 per cent compared with the previous three months.

small rises only in Scotland, Wales and the far North of England to offset the gloom. The Halifax, revising its forecast of price rises of up to 5 per cent for 1991, now believes that a figure of under 3 per cent is the best which can be expected, with the possibility of a slight fall over the year. The building society said that prices were being kept down by the continued low level of demand for homes throughout the UK, and recovery depended on an increase in activity. "The UK housing market has remained more depressed in 1991 than



Source: Halifax Building Society

	Dec 1988	Dec 1990	Jun 1991	Sept 1991
Aberdeen	46,103	66,887	60,725	65,152
Bradford	33,164	47,984	47,980	49,017
Cardiff	54,029	73,306	69,186	73,378
Coventry	60,362	48,091	53,819	50,649
Derby	50,772	52,808	51,975	52,856
Glasgow	47,514	63,205	59,682	60,877
Hull	31,307	44,219	45,125	44,297
Middlesbrough	33,989	59,807	56,462	57,738
Nottingham	50,565	57,512	57,282	58,660
Oldham	31,870	50,738	46,336	49,136
Oxford	106,809	95,061	89,413	85,597
Reading	92,915	100,725	85,714	83,855
Rochele	34,317	55,456	45,288	51,757
Sevenoaks	167,053	144,045	136,880	133,209
Stoke	36,143	47,779	48,994	50,517
Tunbridge Wells	95,864	103,498	83,987	112,115
York	64,796	68,491	68,349	65,033

Source: Halifax Building Society

## Fat can also be sexy

By RAY CLANCY

THEY wobbled into the ring at the Albert Hall last night, Japan's finest Sumo wrestlers, their blubbery bodies glistening with sweat and their beady black eyes shining with courage and excitement.

Some resembled beached whales with huge stomachs and outside thighs rippling with fat. Others were more muscular. All combined brute force with elegance.

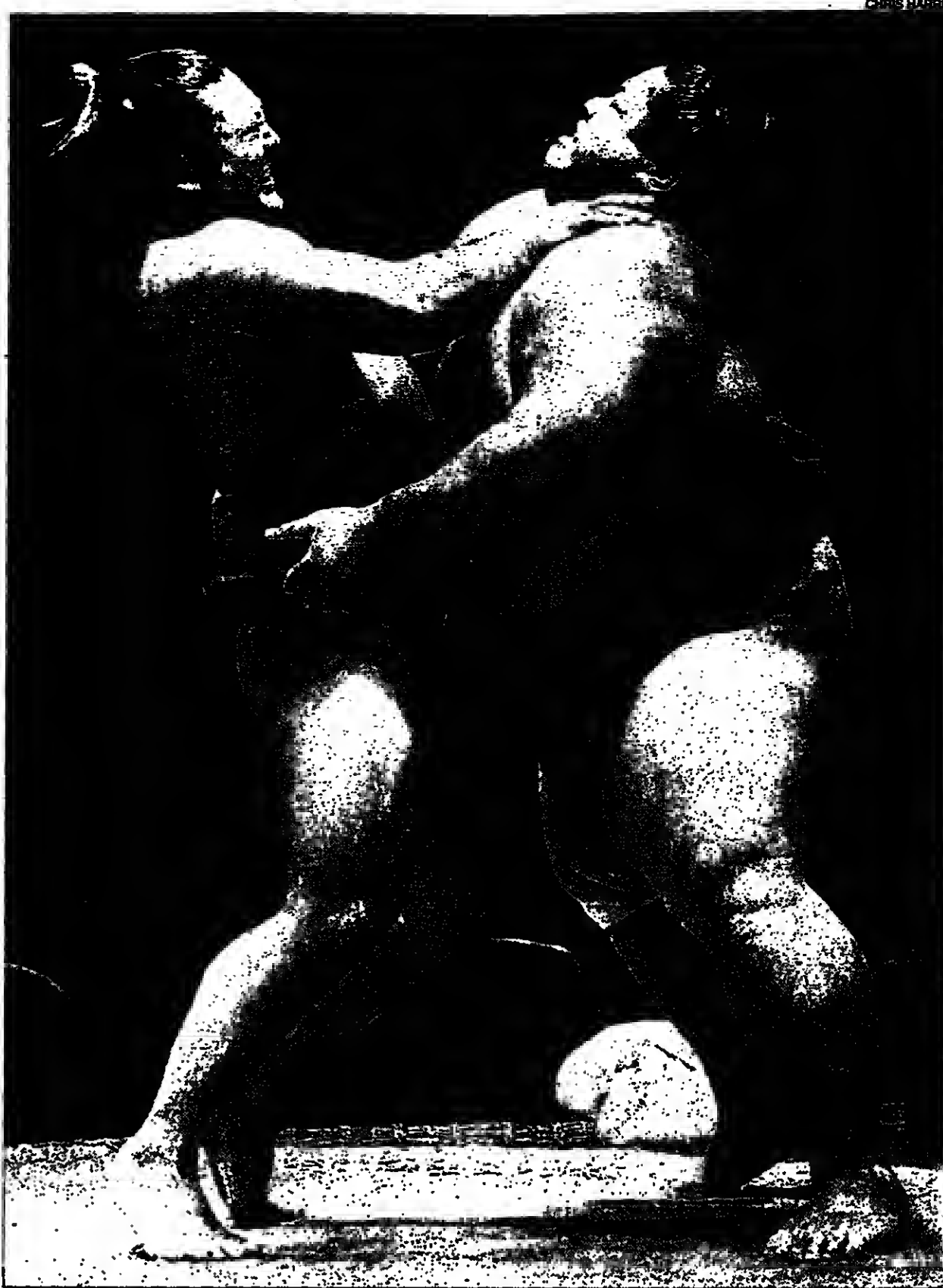
In Japan they are regarded as sex symbols. Kirishima, ranked four in this tournament, was obviously the ladies' favourite last night. A horde of Japanese women sitting next to me gasped with delight when his muscular frame lumbered into view.

Never a fan of wrestling in this country, I found myself strangely attracted to Sumo. Perhaps it was a wish to be protected by these monumental men, perhaps it was being in awe of their towering strength or a desire to mother them, perhaps a combination of all of these.

The rules are complex. The Japanese Sumo Association has identified over 70 different ways of winning a fight. Basically a bout is won by forcing the opponent out of the circle or throwing him to the ground. If one wrestler touches the ground with any part of his body, including hair, apart from his feet, he loses.

Salt is thrown into the ring to purify the sand. Tactics vary from bodily picking up your opponent and putting him out of the ring through a variety of pushing techniques to slapping and grasping hold of his loincloth to prevent yourself from going out.

Arts of Japan, page 29



Battle of the titans: Kirishima, left, one of Sumo's sex symbols, tackling 37-stone Konishiki at the Albert Hall

## The lost leader makes an entrance

Continued from page 1

Faxton pushed out his hand to stop the applause. All through the debate she peered forward, sometimes smiling a little, sometimes clapping, but silent. At 12.30 they took her away. She was not dragged, but always there was a little knot of big men around her. Outside, helicopters beat the air, car engines revved and blue lights flashed. She was gone.

Rumour swept the press that she was to dine in the Palm Court room at the Imperial. We hurried thither, hopeful she might be able to speak to us. Her limousine arrived. She was hustled through the crowds into a waiting lift.

"It has been decided," we heard, "that lunch should be in a private room." They rushed her out of the Imperial the same way, bystanders tried to applaud.

"She does not wish to attend the afternoon session," we had been assured.

But temporarily she escaped her captors and somehow broke into the Winter Gardens and made it to the rostrum halfway through a debate, startling Mr. Heath. Her old pal, Ken Baker, who had supported her to the end, praised her in his speech, but as soon as he sat down the men in dark suits crowded round again.

The last time I saw her, it was only her blonde head, bobbing, helpless, as they walked her down a ramp. Apparently she broke free and attempted a walkabout in the tea room where party workers touched her and sobbed.

Four tall men took her away. Sirens wailed outside the Winter Gardens. The sealed train was ready.

Like a captive Mary Queen of Scots, they are incarcerating her in luxury. Forget the Birmingham Six! Free the Chester Square One!

## Universities face tax on business profits

Continued from page 1

vacation lettings, which now involve about 75,000 beds.

The Inland Revenue said yesterday that it had always considered that universities had no special status where profits from furnished lettings and consultancies were concerned. "Universities have been looking for new sources of income in recent years, and we have been looking at them

to see whether they are taxable."

Jack Straw, Labour's education spokesman, said that retrospective taxation would be unfair and short-sighted, since the government would either have to reimburse the institutions or accept cuts in services. He is to question Norman Lamont, the Chancellor of the Exchequer, both about the universities' pos-

ition and about the imposition of VAT on schools' trading activities. Head teachers fear that more than £1 million could be taken in VAT from

Hertfordshire schools after an investigation by Customs and Excise officials. Inspectors examined the accounts of four Hertfordshire schools over the summer. They calculated each secondary school owed up to £7,500 in undeclared VAT

from breaktime refreshments and ticket sales for school plays.

The county's 446 primary and 84 secondary schools have been ordered to provide full accounts for tuck shops, sports stores and concert ticket sales over the past three years. They have until the end of the month, or Customs and Excise has threatened a mass audit of schools.

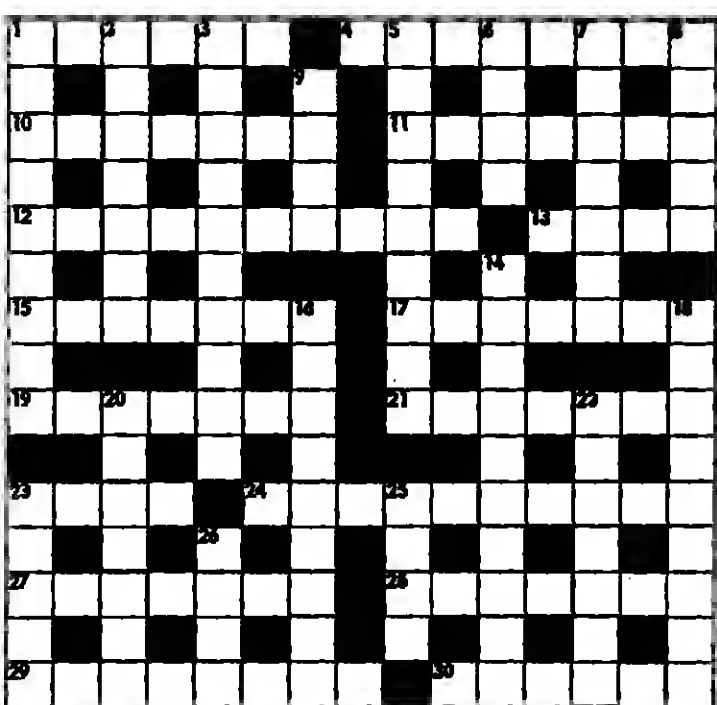
## NO SALE - BUT PAY UP

Motorists are being offered tempting inducements to sell their cars by adding them to a computer register. Then some owners are being pressed for payment, even though they have not agreed to the listing and the register has failed to sell the car. Complaints about the practice are increasing - the Automobile Association and the Office of Fair Trading have become involved - but drivers may still face demands for payment.

To tomorrow's *Times*, Kevin Easoo tells the story of one motorist facing a bill for a sale that was not made.

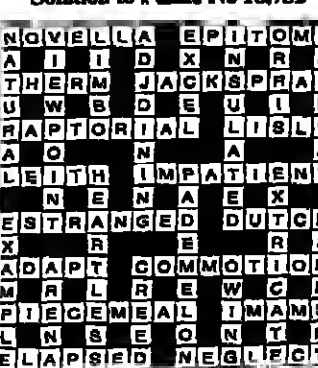
Plus: The car that bristles with top performance, security devices unrivalled in its class and green features.

## THE TIMES CROSSWORD PUZZLE NO 18,733



- ACROSS**
- Head of state fish producing (6).
  - Perfidious as a sovereign may be (5).
  - Cold wind from South and East (7).
  - Corrupt sort in front of eccentric beak (7).
  - Bank with severe trouble just achieves viability (6,4).
  - Exploits follower of John (4).
  - Robot and I put in switch (7).
  - Leave the road and stop the engine (4,3).
  - Makes out rich man hiding at home (7).
  - Walker runs in front of another (7).
  - Writer associated with various Frenchmen - Pole also (4).
- DOWN**
- Pilot's right to take leading role on committee (9).
  - Rugby boy with objective in part of London (4,3).
  - Verify part of score for Charlie, say (5-5).
  - Battle in Chinatown (9).
  - Loose or tight? (4).
  - Tropical tree you are heard splitting to extract liqueur (7).
  - Public protests from people collectively (5).
  - Present from woman's sweetheart (4).
  - Wood provided what this icily sure walker wanted (10).
  - Capital of state one missed out (3,6).
  - Eve or Martha, originally (5,4).
  - Does provide some of this food (7).
  - Keeps quiet, lingering after deceitful act (4,3).
  - Shares found in old wallet (5).
  - Have to include bill for foreign food (4).
  - Poet's vessel in port, it is reported (4).

Solution to Puzzle No 18,732



A daily safari through the language jungle. Which of the possible definitions is correct?  
By Philip Howard

- PIUM**
- A lobe of the inner brain
  - An intercontinental prayer at Mass
  - A small Brazilian hiding fly
- FOUD**
- Interlocked
  - A sand island at low tide
  - An Orkney ballist
- BUPLIVER**
- A surgeon's cardiac lever
  - To plaid with tears
  - Harry's car
- ARGEMONE**
- The prickly poppy
  - A courier interpreter
  - A Spartan war leader

Answers on page 18

## AA ROADWATCH

For the latest AA traffic and roadworks information, 24 hours a day, dial 0836 401 followed by the appropriate code.

**London & SE**

C London (within N & S Circs) 731  
M-ways/roads M4-M1 732  
M-ways/roads M1-Dartford 733  
M-ways/roads Dartford-TM23 734  
M-ways/roads M23-M4 735  
M25 London Orbital only 736

**National**

National Motorways 737  
West Country 738  
Wales 739  
Midlands 740  
East Anglia 741  
North-west England 742  
North-east England 743  
Scotland 744  
Northern Ireland 745

AA Roadwatch is charged at 35p per minute (cheap rate) and 48p per minute at all other times.

Concise crossword, page 17

Most of England will be cloudy but bright, with hazy sunshine, but there will be rain at times in the south-west. North Wales and Northern Ireland will see some rain later in the day, but Scotland should remain dry with some sunshine. East-facing coasts will stay cool and cloudy, but inland areas will become warm. Outlook: mainly dry in the north and the east, but rain or showers in the south and the west.

ABROAD		AROUND BRITAIN	
MEDWAY: 1st Thunder, 2nd Gales, 3rd Fog, 4th Sun, 5th Wind, 6th Rain, 7th Cloud, 8th Sun.			
Algeria	24 75	Madrid	25 77
Amsterdam	20 71	Malaga	18 81
Antwerp	20 71	Marseille	18 81
Athens	20 71	Mezotice	15 39
Bahia	21 88	Montreal	8 48
Bangkok	20 71	Moscow	17 54
Barcelona	20 71	Munich	17 54
Berlin	20 71	Nairobi	27 81
Birmingham	20 71	Naples	17 54
Bombay	20 71	Nice	17 54
Buenos Aires	20 71	Norfolk	21 73
Burgas	20 71	Norwich	17 54
Bzova	20 71	Oslo	11 52
Cairo	20 71	Paris	17 54
Calcutta	20 71	Peking	23 73
Cardiff	20 71	Perth	28 82
Chennai	20 71	Rangoon	23 73
Chicago	20 71	Rio de Janeiro	24 75
Chongqing	20 71	Riyadh	30 85
Cologne	20 71	Rome	17 54
Copenhagen	20 71	Salzburg	19 68
Corfu	20 71	Santo Domingo	19 68
Dublin	20 71	Sao Paulo	16 81
Edinburgh	20 71	Seoul	24 75
Florence	20 71	Singapore	24 75
Frankfurt	20 71	Sydney	17 54
Geneva	20 71	Taipei	19 68
Helsinki	20 71	Tampere	18 84
Hong Kong	20 71	Tenerife	23 73
Hull	20 71	Tokyo	17 54
Istanbul	20 71	Toronto	22 80
Jakarta	20 71	Turkey	22 80
Johannesburg	20 71	Ulaanbaatar	22 80
Kuala Lumpur	20 71	Valencia	22 80
La Paz	20 71	Vancouver	18 84
London	20 71	Warsaw	20 71
Los Angeles	20 71	Wellington	18 84
Luxembourg	20 71	Winnipeg	17 54
Lyon	20 71	Zurich	15 39
Madrid	20 71		

FOREIGN RATES		GREATER LONDON	
Australia \$	2.285	Banks	701
Austria Sch	27.45	Sale	702
Belgium Fr	66.70	Dorset, Dorchester & IOW	703
Canada \$	0.68	Devon & Cornwall	704
Denmark Kr	11.73	Wiltshire, Dorset, Dorchester & IOW	705
France F	10.24	Berkshire, Bucks, Oxon	706
Germany DM	3.04	Beds, Herts & Essex	707
Greece Dr	334.00	Norfolk, Suffolk, Cambs	708
Hong Kong \$	1.34	West Mid & Ch. Glam & W. Glam	709
Ireland P	2.25	Shropshire, Hereford & Worcs	710
Italy Lit	2.25	Central Midlands	711
Japan Yen	200.00	East Midlands	712
Netherlands Gld	3.42	Lincoln & Humberside	713
Norway Kr	11.73	Derby & Shropshire	714
Portugal Esc	200.00	N W England	715
South Africa R	5.20	W & S Yorks & Dalles	716
Spain Ptas	166.64	N E England	717
Sweden Kr	11.73	Cumbria & Lake District	718
Switzerland Fr	2.25	S W Scotland	719
Turkey Lira	80.00	W Central Scotland	720
USA \$	1.34	Edin S Fife, Lothian & Borders	721
Yugoslavia Dnr	200.00	E Central Scotland	722

For the latest region by region forecast, 24 hours a day, dial 0888 500 followed by the appropriate code.



TODAY		TODAY	
London	10-17	London	10-17
Aberdeen	8-14	Liverpool	10-17
Belfast	10-17	Manchester	10-17
Birmingham	10-17	Middlesbrough	10-17
Cardiff	10-17	Nottingham	10-17
Coventry	10-17	Oldham	10-17
Derby	10-17	Oxford	10-17
Durham	10-17	Reading	10-17
Edinburgh	10-17	Rochele	10-17
Glasgow	10-17	Sevenoaks	10-17
Hull	10-17	Stoke	10-17
Leeds	10-17	Tunbridge Wells	10-17
Liverpool	10-17	York	10-17



Information supplied by Met Office



## DTI team examines failed Edencorp

DEPARTMENT of Trade and Industry inspectors have been appointed to examine Edencorp, the leisure group placed in receivership in July by its bank, Standard Chartered.

The inspectors are being sent in by a new investigation unit set up by the department in response to a select committee report. The inspectors, Anthony Fausset and David George, were appointed under section 432 (2) of the Companies Act, which encompasses suspected fraud.

Formerly a Third Market company, Edencorp was the subject of a failed takeover bid this year by John Carway, an Irish businessman. Shares in Edencorp, which has time-share and theme-park interests, were suspended almost a year ago at 12p.

Mr Carway's bid failed but Michael Wallace, the company's founder, led a boardroom coup in April that involved a £1 million loan from Verit, Mr Carway's company.

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## ICL group captures high-security MoD order

By ROSS TIEMAN, INDUSTRIAL CORRESPONDENT

A CONSORTIUM headed by ICL has won a £250 million contract to provide a high-security office computer system for the Ministry of Defence. In doing so, it has beaten a rival group led by British Telecom.

The contract is significant, both because the system is said to be one of the most secure ever devised, and because it requires the contractors to provide a full service of software, support and training. The terms of the

deal reinforce the trend by the MoD towards the selection of prime contractors capable of delivering and backing up complete working systems, whether in weapons or support services.

The fact that ICL, based in Britain, is controlled by Fujitsu of Japan was "never an issue", according to the MoD.

ICL got together with Coopers & Lybrand Deloitte, the consultancy firm, BICC, Data Logic and Hewlett-Packard to bid for the work, in a group called Topix.

ICL is optimistic that the success of the Topix consortium will give it a head start in the competition to provide similar systems for the Army, Navy and Air Force, for other government departments and also for commercial organisations, which are becoming increasingly worried about data security.

Before the computer system was accepted, the MoD hired a firm of consultants to spend three weeks trying every way they could think of to "hack" into it through its in-built security system. The details of the firm's efforts are confidential but they were apparently unsuccessful.

The Topix computer system was selected after a comparative trial against a system offered by BT in partnership with Groupe Bull of France, Siemens Nixdorf of Germany, Uniplex and SIS.

During the next five years ICL and its partners will install 10,600 ICL terminals at 30 sites across the UK, linked through the MoD's secure telephone network.

They will also train 18,000 MoD personnel to use the system, and will provide continuous service and support.

Hardware and software will account for only about a third of the contract's value. User training, in which Coopers & Lybrand Deloitte will play a key role, will account for much of the rest.

ICL estimates that the sophisticated security measures added around £25 million to the cost of the system.

Security devices include tamper-proof terminals, radiation shielding and a programme designed to alert system managers to any unauthorised intrusion.

The MoD believes the system will make possible productivity gains of at least 15 per cent.



James: all areas hit to bring various legal actions worth a total of £70 million.

At the end of last year, therefore, the deficiency in shareholders' funds had increased from £30.4 million to £41.5 million. Mr James said all areas of business had been severely hit by the recession, and the group's remaining subsidiaries were no exception. An intensive slimming-down programme at Eagle Trust had resulted in 1990 turnover falling to £120.2 million from £178.6 million.

A Court of Appeal ruling has set aside an initial setback in January for the claim against SBC, owned by the Swiss Bank Corporation, and the case will now go to a full trial.

A spokesman for SBC said the case, in which Eagle Trust is alleging the broker should have been aware of the source of £13.5 million advanced to it as underwriter to a 1987 rights issue, would be fully contested and had no merit in law.

Eagle Trust is also suing KPMG Peat Marwick McLintock, its former auditor, for £50 million as well as Mr Ferriday and other former directors.

## Eagle Trust wins ruling

By MARTIN WALLER

EAGLE Trust, the crashed mini-conglomerate being nursed back to health by David James, the company doctor, has been cleared to go ahead with a £13.5 million legal action against the company's former stockbroker, SBC Securities, previously known as Savory Mill.

The news came as Eagle Trust, formerly run by John Ferriday, announced an increase in losses before tax and non-recurring items to £9.47 million in the year to end-December from £7.55 million the previous year.

Operating losses of £2.3 million were more than wiped out by interest payments, but the group has negotiated a £20 million standstill agreement with its banks converting all interest payments until the end of 1993 into new preference shares to provide time



Long road to recovery: Barry Reed has predicted slow progress out of recession

## Belt tightens at Austin Reed

By GILLIAN BOWDITCH

AUSTIN Reed, the retailer and manufacturer of tailored clothing, said retail trading in the second half of the year had worsened, leading to speculation that the final dividend may be cut. The shares fell 7p to 378p.

The group announced a fall in pre-tax profits of almost 30 per cent to £639,000 on turnover down from £40.8 million to £39.7 million. The interest charge fell from £1.5 million to £1.42 million and earnings fell from 2.1p to 1.5p a share. The interim dividend is maintained at 3p.

Barry Reed, chairman, said the retail division continued to be adversely affected by the

economic downturn, particularly in London and the Southeast, with men's tailored clothing suffering the most. Margins were also affected by the increase in VAT, which the group was unable to recover from customers because of its sudden imposition. However, sales of ladies clothing rose 4 per cent on the year.

In manufacturing, Austin Reed International performed well in the export markets, but Chester Barrie suffered as sales of top of the range tailored clothing fell in Europe. Royalty income from America also fell.

Mr Reed said: "While there

is plenty of anecdotal evidence to suggest an imminent end to the recession, our own experience points to a longer road to recovery, particularly in terms of consumer confidence, with sales remaining depressed into next year. Retail trading so far in the second half of the year has, if anything, worsened."

Mr Reed said the group had taken remedial action to reduce overheads and limit capital expenditure, which would stand the business in good stead for the eventual upturn. Meanwhile, the amount of the final dividend will naturally have to depend on the outcome for the year as a whole, he said.

## Merrill dips on enquiry

From REUTER IN NEW YORK

SHARES in Merrill Lynch fell \$2.50 to \$45 yesterday after the American securities house said it was co-operating with a Securities and Exchange Commission review.

Merrill Lynch said it did not engage in illegal or unethical activity in connection with securities transactions conducted by Guarantee Security Life Insurance. The company also said it was confident its employees acted properly and that its transactions were bona fide.

Merrill said the transactions in question dated back to 1984 and were fully disclosed at the time. Merrill made the comments in response to an article in the *San Francisco Chronicle* that said Merrill was being investigated over whether it temporarily exchanged Guarantee Security Life Insurance junk bonds for Treasury securities a few days before the end of each of several years.

Such a manoeuvre would have helped improve Guarantee Security Life's balance sheets. The *San Francisco Chronicle* said the transactions were in 1984, 1985, 1986 and 1988.

## Democrat move risks bailout bill

A BILL doubling the taxpayer cost of the US savings and loan bailout to \$160 billion has been passed by a House of Representatives panel with an amendment that Republicans said would force President Bush to veto it.

A House subcommittee voted 20-16 to provide the Resolution Trust Corp with \$80 billion, but only one Republican joined Democrats in approving the measure, after the Democrats attached an amendment requiring that \$60 billion of the spending come from either tax increases or spending cuts in other programmes.

Joseph Kenoedy, who sponsored the amendment, said it would force Mr Bush and Congress to deal with the ballooning budget deficit.

## BUSINESS ROUNDUP

### Allied-Signal to cut some British jobs

ALLIED-Signal, the \$12 billion American aerospace, car and engineering materials group, which has a dozen operations in Britain, has announced a \$1.43 billion shake-up that will cost some of its 2,500 jobs here. The UK operations include Autolite spark plugs, Bendix brakes, Fram filters and Garrett turbochargers. An Allied spokesman said: "These are company-wide cuts and there will be some impact on the UK, but we don't yet know where and when."

More than 5,000 jobs will go — 14 per cent of the workforce — costing part of a \$880 million provision in the third quarter that will push results into the red. Allied will raise \$300 million by selling businesses and save almost \$110 million by cutting the quarterly dividend 44 per cent to 25 cents.

### Havelock slips to loss

HAVELOCK Europe, Britain's largest shopfitter, has dived into the red with a pre-tax loss of £2.18 million in the half year to end-June (£615,000 profit), as turnover declined from £21.1 million to £17.5 million. There is a 9p loss per share, against earnings of 2.5p last time, but the interim dividend is maintained at 1.5p.

### Wm Sinclair rises 12.5%

PRE-tax profits at William Sinclair Holdings, the garden leisure and pet products supplier, rose 12.5 per cent to £4.48 million (£3.98 million) in the year to end-June. Earnings climb to 17.2p (16.5p). The dividend rises 10 per cent to 6.7p (6.09p) for the year, with a proposed final payment of 5.1p. The shares rose 2p to 277p.

### Quadrant payoff

JEREMY Peace, former chairman and chief executive of Quadrant Group, the photographic to video services company, received £138,000 compensation after being replaced as chairman by Robbie Brothers, the Hong Kong-based businessman, in March, while pre-tax profits plunged to £940,000 in the half year to end-August (£2.51 million). Earnings per share fell from 5.18p to 2.04p, but the interim dividend is maintained at 1.65p.

### B&J chief resigns

BRIAN Duffy, chairman and chief executive of Brown & Jackson, the group that bought Poundstretcher from Lowodes Queensway, has resigned after taking responsibility for the group's poor performance. Analysts believe the resignation, prompted by a shareholder revolt, might pave the way for a £10 million rights issue.

### Sorrell drops Budgens post

MARTIN Sorrell, chief executive of WPP Group, has resigned as a non-executive director of Budgens, the troubled food retail group, because of "other considerable commitments". Clive Clague, chairman of Budgens, told the annual meeting yesterday that the company was trading at satisfactory levels.

### Police hunt yakuza

AUSTRALIAN police will compile a report on alleged investment by Japan's organised crime syndicates, the yakuza, in tourist and real estate development in Australia, after a television report by the Australian Broadcasting Corporation last week.

Michael Tate, the Justice minister, said that several Japanese businessmen charged in Japan with company and sharemarket offences had invested in Australian golf courses.

## CWS promotes retail expert

By DEREK HARRIS



Skinner: merger architect

THE Co-op's biggest organisation, the £3 billion sales Co-operative Wholesale Society (CWS) is getting a new chief executive. He is David Skinner, now deputy chief executive in charge of retailing and services.

Mr Skinner will take the chair next June, when Sir Dennis Landau, who has headed CWS since 1980, retires. Mr Skinner has been

with the Co-op for more than 20 years and has played a leading role in modernising and expanding CWS retailing. CWS is traditionally a manufacturer and wholesaler serving Britain's 70 independent retail societies, but retailing and services have come to account for about two-thirds of its sales. Its main retailing areas include London, the Southeast, the Northeast, Scotland and Northern Ireland. It accounts for 15 per cent of all Co-op retailing.

Mr Skinner was also architect of the recent merger between CWS and the North-Eastern Co-operative Society, one of the biggest regional Co-op retailers.

Aged 59, Mr Skinner, a Geordie whose leisure interest is following Liverpool FC, can look forward to about four and a half years in the top job once he takes over. His selection is regarded as a signal that CWS aims to expand its retailing presence while retaining profitable manufacturing activities.

Mr Skinner has beaten two main internal candidates — Graham Melmoth, the 53-year-old CWS secretary, and David Lacey, aged 54, who is the CWS deputy chief executive in charge of production and property.

Lennox Fyfe, CWS chairman, said: "We have picked the man who we believe is best fitted to build on the process of reshaping and developing the CWS."

## Prudential boosts US arm

By JONATHAN PRYNN

PRUDENTIAL Corporation is injecting \$300 million into its US life insurance subsidiary, Jackson National Life, to boost its capital reserves.

The new funds will be financed initially through issues of commercial paper and, in the longer term, through a \$300 million ten-year euro-bond launched yesterday by the Prudential. A spokesman for the company said that the

latest injection of funds increases Jackson's capital and surplus to \$870 million, an increase of 73 per cent since the end of last year.

American life customers are highly sensitive to the strength of the capital backing of life insurers because of the industry's huge exposure to junk bonds and the troubled property market.

The spokesman said that

Jackson had reduced its junk bond exposure from 18 per cent of its portfolio to 10 per cent and had no exposure to real estate.

He added that Jackson, one of the five biggest life companies in America, had enough reserves to cover expected junk bond defaults but that it had decided to reduce its exposure because of customer sentiment.

## Italian carmaker spends £100m to resist Japanese

### Fiat gears up to fight over Britain

By KEVIN EASON  
MOTORING CORRESPONDENT

FIAT is spending £100 million to strengthen its British dealer network in the first stage of a plan to improve sales radically in the face of increasing Japanese competition.

The Italian group announced yesterday that it will invest the money in its chain of 450 showrooms to revive its share of the new car market, which has slumped to just 2.2 per cent.

The announcement ends speculation that Fiat was to link up with Octav Botnar's embattled Nissan UK group, which has 250 dealerships but no franchise after the much-publicised withdrawal of Nissan Motor Manufacturing of Japan from January 1.

Instead, Fiat is to strengthen its own dealers substantially by revamping showrooms, increasing training and improving customer care programmes.

The group will also open a series of wholly owned flagship showrooms in key metropolitan areas.

Mario Massara, managing director of Fiat Auto, described the investment as "a major commitment" to Britain.

Britain is by far the weakest market for Fiat, Europe's second-biggest motor group. Although Fiat has substantial British interests, including six production plants employing 9,000 people in various industries, its car sales have not lived up to expectations.

Sales of 85,000 Fiats in 1989 will fall to an estimated 35,000 this year while Lancia sales are down 51 per cent. A third Fiat marque, Alfa Romeo, is outperforming the market with a fall of 3.6 per cent.

The group is highly vulnerable to the introduction of Japanese cars into Europe as trade barriers fall, particularly those cars made by Honda, Toyota and Nissan in Britain.

Fiat has dominated its domestic market while Japanese cars have traditionally been restricted to about 3 per cent of Italian sales. The group has about 12.6 per cent of the European market and is particularly strong in France.

However, greater Japanese competition is forcing Fiat to end its dependence on its Italian stronghold and to strengthen other markets, making Britain a crucial area.

Fiat desperately needs to increase sales volume, with £14 billion to be invested over the next five years in producing a new range of cars, including the replacement for the best-selling Uno model.

Increasing sales in Britain, one of Europe's most lucrative markets, is a key component in the overall strategy.

Fiat will start by amalgamating the company's three main car marques — Fiat, Lancia and Alfa Romeo — at one site at the Fiat Auto (UK) headquarters at Slough, Berkshire.

# WHERE CAN YOU FIND A WORKFORCE YOU DON'T HAVE TO FORCE TO WORK?



# ERM dog fails to bark

COMMENT

Norman Lamont's party conference speech was a classic case of the dog that did not bark. Britain is not about to move sterling into the narrow band of the European exchange-rate mechanism, as many expected the Chancellor to announce with a flourish of pride, at least until the autumn election was ruled out.

The recent relative weakness of sterling was not itself a bar. The Bank of England saw fit to support the pound ahead of the speech yesterday. But sterling was in no danger of breaking out of any band. It ended just 1.7 per cent below the strongest narrow band currency, well within the 2.25 per cent narrow limit, and was replaced at the bottom of the league by Denmark's krona.

The benefit of moving to a narrow band is to reinforce the credibility of the currency and thereby remove the remaining risk premium in interest rates. In those circumstances, interest rates are easier if the currency is relatively low in its band. This depends, however, on the credibility of policy. The government's poor showing in polls

does not help, since currency markets hate virtually any prospective change of government. Likewise, doubts remain over how well the British economy can live with a DM2.95 central rate, since this was fixed in the middle of a period of high inflation and it is hard to see lost competitiveness being regained.

Mr Lamont would not admit to sharing any such doubts. But he may like to wait to see if growth in British exports survives recovery at home and slower growth in Germany. Otherwise, a premature move into the narrow band could jeopardise pre-election rate cuts.

## New money

Another new European currency is being born. The Slovenian tolar has the respectable ring of the old German thaler, transformed across the Atlantic into the

mighty dollar. Each of the three Baltic states has a separate new currency up its sleeve and Estonia has already printed kroon notes ready for issue. A national currency is a tangible symbol of independence and nationhood that can be got up quite quickly and does not involve military confrontation.

That so many new currencies are appearing as signs of national sovereignty will doubtless become a useful weapon for use in the arguments against a single currency in the European Community. In these cases, however, there is another justification. The rouble and the Yugoslav dinar have been poor money, offering no countervailing lure of financial stability either at home or in dealings with the outside world. The main risk involved in setting up a new currency, that it

will not be acceptable as a means of exchange or a store of value, may therefore be worth taking.

In the long run, small currencies are a liability unless they are clearly pegged to a leading counter, normally of a close trading partner. The Hong Kong dollar was, for instance, fixed against the American dollar both to bolster credibility at a moment of trouble and to give a stable background to trade with the closest overseas partner. Wealthy Luxembourg is content with a monetary union with Belgium, as keen as any to show independence, chose to stay with sterling until it was in a position to find an alternative strong link in the ERM.

In the short run, a new currency will succeed only if it is demonstrably well backed by

reserves in a structure that makes it hard to debase. That is the main reason the Baltic states are so anxious to retrieve their 1940 gold. Even so, a new separate currency is more likely to be a hindrance than a help to economic development. Good luck to the tolar, the kroon et al. At worst, they will make banknote collectors happy.

## Rights bill

The market in British Aerospace shares is now ideal for a stakeholder. They fell decisively below the rights issue price of 380p yesterday. The rights still trade at 6p but this is not necessarily evidence of stakeholder. Disgruntled City investors have been selling their holdings, preferring the rights as a three-week option on investment in the group. As Burton showed, sentiment can improve at the last moment of a

rights issue if management does a good selling job in the City, but there is a big risk of BAE rights being left with underwriters.

The same fate could befall Hillsdown Holdings, whose shares are now trading at around the rights price. Tuesday's MB-Caradon issue has also met with a frosty reaction in its share price. Indeed, the latest spate of issues is generally disliked, using up goodwill built earlier by the likes of Tesco.

Underwriters would not accept this for long. BAE was a special case where funding came with bad trading news and boardroom drama. Other issues are regarded as unnecessary, some coming from companies in which institutions are not anxious to invest more.

Asda was forced to rethink its terms to secure underwriting for an issue made out of pressing need. Discounts have crept up, but most big issues are still offering new shares at a discount of 20 per cent or less to the pre-rights price. That discount will surely rise, making new share issues more expensive to service with dividends.

# IMF seeks western deficit cuts to help save for a wider world

On the eve of the Bangkok summit,

Anatole Kaletsky discusses the

IMF's *World Economic Outlook*

WHEN finance ministers from the seven leading industrialised countries meet in Bangkok tomorrow afternoon, the main item on their agenda will be clear: the disintegration of the Soviet Union and what the West can do to arrest it. But for the thousands of Third World leaders, private bankers and World Bank and International Monetary Fund officials also travelling to the Thai capital for what has been aptly called the world economy's annual general meeting, the main order of business will be entirely different: to try to divert the Group of Seven's attention from the chaos in the Soviet Union to the more mundane problems of the global economy and the developing world.

The non-Soviet delegates will face a difficult task in trying to capture the interest of the world's key economic policymakers, a point that was well illustrated by the *World Economic Outlook* published yesterday by the IMF.

The WEO's analysis and forecasts contain little that will either surprise or challenge the members of the G7. All the G7 countries are likely to enjoy steady growth and lower inflation next year, according to the IMF's forecasts. The industrialised world as a whole will grow by 2.9 per cent in 1992, compared with 1.3 per cent this year, while average inflation will slow from 4.6 per cent to 3.8 per cent.

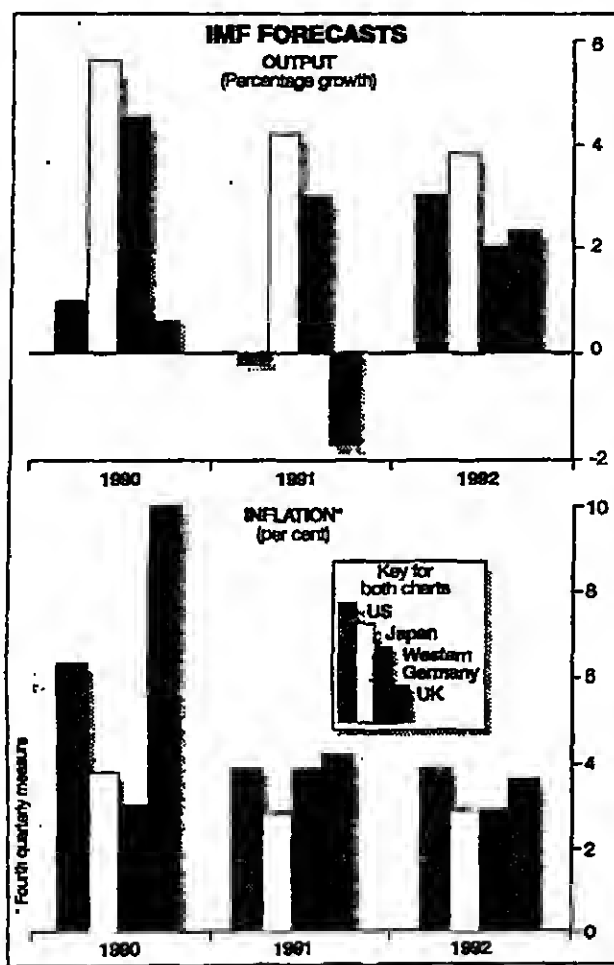
The Third World, too, can look forward to a good year. Growth in the developing countries excluding eastern Europe should accelerate sharply from 2.5 to 4.9 per cent. As usual, the best performance will be in Asia, where growth should be 5.3 per cent in 1992, almost unchanged from 5.4 per cent this year. But for once, even Africa and

Latin America should enjoy glimmers of hope, although the IMF gives a warning that up to 30 million Africans will continue to face starvation in the year ahead, largely because of the incompetence and corruption of their own governments.

Output in Africa will grow by 3.4 per cent in 1992, compared with 3.1 per cent this year, while in Latin America the improvement should be from 1.1 per cent to 2.3 per cent. Excluding Brazil, which faces another year of recession and economic crisis, output in the rest of Latin America should at last keep ahead of population growth.

Even in Eastern Europe, the IMF foresees a substantial economic recovery in the year ahead. Output in Eastern Europe excluding the Soviet Union should grow by 2.1 per cent in 1992, after collapsing by 12 per cent this year and 7.8 per cent in 1990. These countries are doing much worse than the IMF expected six months ago, when it forecast a decline of only 1.3 per cent this year followed by growth of 2.6 per cent in 1992. But their prospects are brilliant compared with the Soviet Union's. Speaking at a news conference in Bangkok yesterday, IMF economists said developments in the Soviet Union were so uncertain that it was impossible to make any serious forecast for that country's performance either this year or next.

But turning away from the Soviet Union, the IMF does have some serious anxieties about the rest of the world. These are summarised in several traditional IMF admonitions. Western countries, led by America, are running excessive budget deficits and must cut public spending. They must do more to encourage savings. And more controversially, the WEO also



says that America, Britain and Canada must stand ready to tighten credit if their recession-bound economies start to recover too fast.

When the G7 finance ministers look at the WEO's figures, however, they are

determination to pull the American economy out of recession as rapidly as possible, is unlikely to be impressed by the IMF's warnings. He will doubtless argue again that faster growth is the key to promoting sav-

**The IMF gives a warning that up to 30 million Africans will continue to face starvation**

unlikely to throw political interest to the wind and think seriously of cutting budgets or tightening money. In particular, Nicholas Brady, the American Treasury secretary, who has made much of his

ings worldwide, while adding that lower interest rates, rather than tighter policies, are the way to reconcile the conflicting demands for capital from the industrialised, developing and ex-communist countries.

With the Japanese and German economies slowing and the French and Italians increasingly concerned by growing unemployment before 1992, Mr Brady is likely to find more support from his G7 colleagues this week than he did at the last IMF meeting, in April.

The IMF may argue that tighter fiscal policies are necessary to release savings for eastern Europe and the developing world. But the WEO figures are less than conclusive and do not seem to justify the pivotal role ascribed to the world savings shortage in the analysis of world economic problems.

The WEO talks of massive new demand on the pool of world savings from the war-shattered Middle East, the Soviet Union, eastern Europe and a unified Germany. These can be met only by fiscal belt-tightening by the leading industrial economies, it says. It puts new demands for saving from these sources at "almost \$100 billion" this year and a further \$80 billion annually between 1992 and 1996. With private savings from individuals and businesses falling in the industrial world, governments must borrow less and cut spending, the IMF argues. It calls on America, Italy, Germany and Canada in particular to deliver on their promises to cut ballooning deficits.

But when it attempts to quantify the effects of oversized budget deficits, the IMF undermines its own case. If industrial nations fail to rein in spending over the next five years, world interest rates could be driven up by only one half of a percentage point, the IMF's economic model suggests. Given the margin for error in any forecast of interest rates, this threat is unlikely to jolt governments into action.

# Finnish trade with Soviet Union slows to a trickle

THE unwillingness of most British companies to trade with the Soviet Union reflects recession at home, the need to dazzle the markets with figures, and the lack of official backing, as much as the appalling state of Soviet affairs.

But when the International Monetary Fund, having just signed up the Soviet Union as an associate member, is unable to predict where that nation's crumbling economy is headed, it is safe to assume that the climate for business will worsen further.

Hopes that assertive governments in the republics, led by the resource-rich Russian federation, would end the confusion over who the ultimate decision-makers are appear premature.

Yesterday's report that Russia's economy and environment ministers, Yevgey Saburov and Igor Gavrilov, have resigned over policy squabbles does not engender confidence in the republics' ability to create a safer climate.

Even Germany, enmeshed in its costly unification, is calling for others, in particular Japan, to take up the burden of preventing total breakdown in the Soviet Union. For all their long-standing commitment to Soviet trade, the Germans, too, are worried about their exposure.

Against this background, it is interesting to observe that Finland, one of the Soviet Union's leading non-com-

munist trading partners in post-war years, has experienced a breathtaking collapse in Soviet trade.

For a country that shares a 12,000-kilometre frontier with the Soviet Union, cross-border trade should be natural enough. A bilateral treaty had provided added political justification for such links. But where Finland might once have looked to the Soviet market to cushion its economy against downturns in the West, it is no longer able to. With trading on a clearing-

house basis terminated at the end of 1990, at Moscow's request, the Finns cannot readily export manufactured goods, clothes, shoes and food to the Soviet market. In return for oil, gas and raw materials, construction projects also present a financing problem.

Where a boom in western Germany absorbed much of the pain caused by the evaporation of eastern Germany's Soviet market, Finland's worst recession since 1920 has meant the

house basis terminated at the end of 1990, at Moscow's request, the Finns cannot readily export manufactured goods, clothes, shoes and food to the Soviet market. In return for oil, gas and raw materials, construction projects also present a financing problem.

Where a boom in western Germany absorbed much of the pain caused by the evaporation of eastern Germany's Soviet market, Finland's worst recession since 1920 has meant the

Finns have had to take the blow of disappearing Soviet markets on the chin.

At their height, exports to the Soviet Union amounted to a quarter of Finnish exports. This year, the figure is down to between 4 and 5 per cent, after reaching 12.7 per cent last year. Imports have declined, but have held up better than exports. Fearful for its own creditworthiness, the government thinks almost £1 billion of Finnish claims against the Soviet Union is the limit. Those who wish to export must bear the risk.

Ville Kopra, trade counsellor to the Confederation of Finnish Industries, sees "too few levers for Finland to pull" to boost Soviet trade. Old-fashioned bartering could offer a way. "But to be able to sell, you must have something to buy," says Mr Kopra. As production falls, transport fails, and the people hoard, tradable Soviet goods are not easy to find. Time and imagination is called for.

As an option the Finns are paying increasing attention to the Soviet, or republican, excoersion, which would grant a long-term right to western firms to develop a particular market or region. After all, such concessions worked in the troubled years after the Bolshevik revolution. A Finnish paper group is already harvesting Soviet forests under a 50-year deal. Other firms could soon be running utilities in St Petersburg.

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## Goodbye to analysis

BOB Haville, who was ranked either first or second among conglomerates analysts throughout the Eighties, and who resigned from Morgan Stanley in August without a job to go to, will reappear in November at Smith New Court. Haville, aged 36, will be a specialist salesman at SNC, working alongside Andrew Mitchell and Bruce Davidson, its existing conglomerates analysts. "I left Morgan Stanley entirely of my own accord and purely for career reasons," says Haville, who also once worked for James Capel and who has spent the past three months travelling. "I came to the conclusion that I was fed up with being an analyst and with working on my own," he says. "I wanted to join a large UK house and the best - and I think I have got it - I will now be selling companies that I know quite well, but I will not have any analysis responsibility."

## Late mail

WITH the sale of British Telecom shares once again in the news, a Sussex reader has

## THE TIMES CITY DIARY

written to the *City Diary* questioning the merit of the money the company has spent on two corporate logo changes since its original privatisation. On a recent visit to Looe, he spotted a newly painted silver BT engineer's van, being parked outside the Post Office headquarters in St James's Square. "I watched the engineer prop up an already scribbled cardboard note on the dashboard that said 'GPO engineer working in building' before disappearing into the building," he writes, before quite rightly pointing out that the GPO, as such, went out of existence in 1969, with BT being demerged from the Post Office ten years ago, in 1981.

## Jobs on the move

THE job market in the Square Mile is showing signs of recovery. Stockbrokers are especially keen to move to the smaller, boutique-style investment houses, according to Lizzie Sullivan, once a market trader to her own right and

now boss of Elizabeth Sullivan Associates, her own recruitment consultancy with offices in the Hop Exchange. "During the first six months of this year one was interested in taking on new staff, but the atmosphere has changed noticeably in the last two months," she says. So much so that she has found it impossible, thus far, to fill two highly paid European vacancies - one in Madrid and

the other in Paris - for experienced sales traders. "Everyone seems to be insufficiently qualified, too old or else they simply don't want to leave London," laments the ever effervescent Lizzie.

## Miner resurfaces

MARK Wellesley-Wood, who left the Square Mile last year to become chief executive of Geovor, the coal and gold-mining company once best known for its Cornish tin mines, is back in familiar territory. He has returned to Kleiworth Benbow Securities, where he was formerly head of the mining department, as a director in charge of South African industrial stocks and mining. He remains, however, non-executive chairman of Geovor, which went into a downward spiral after the Canadian Imperial Bank of Commerce called in a £2.1 million loan in February. "Survival is the key for Geovor," says Wellesley-Wood, once a shift manager



CAROL LEONARD







"Deutsche Bank  
and France's  
Crédit Agricole  
have followed  
TSB's lead by setting  
up their own  
insurance subsidiaries."

The Economist, October 1990

## WE SEEM TO HAVE STARTED A TREND.

In 1967, we started what is now Britain's second largest supplier of unit-linked life and pension products.

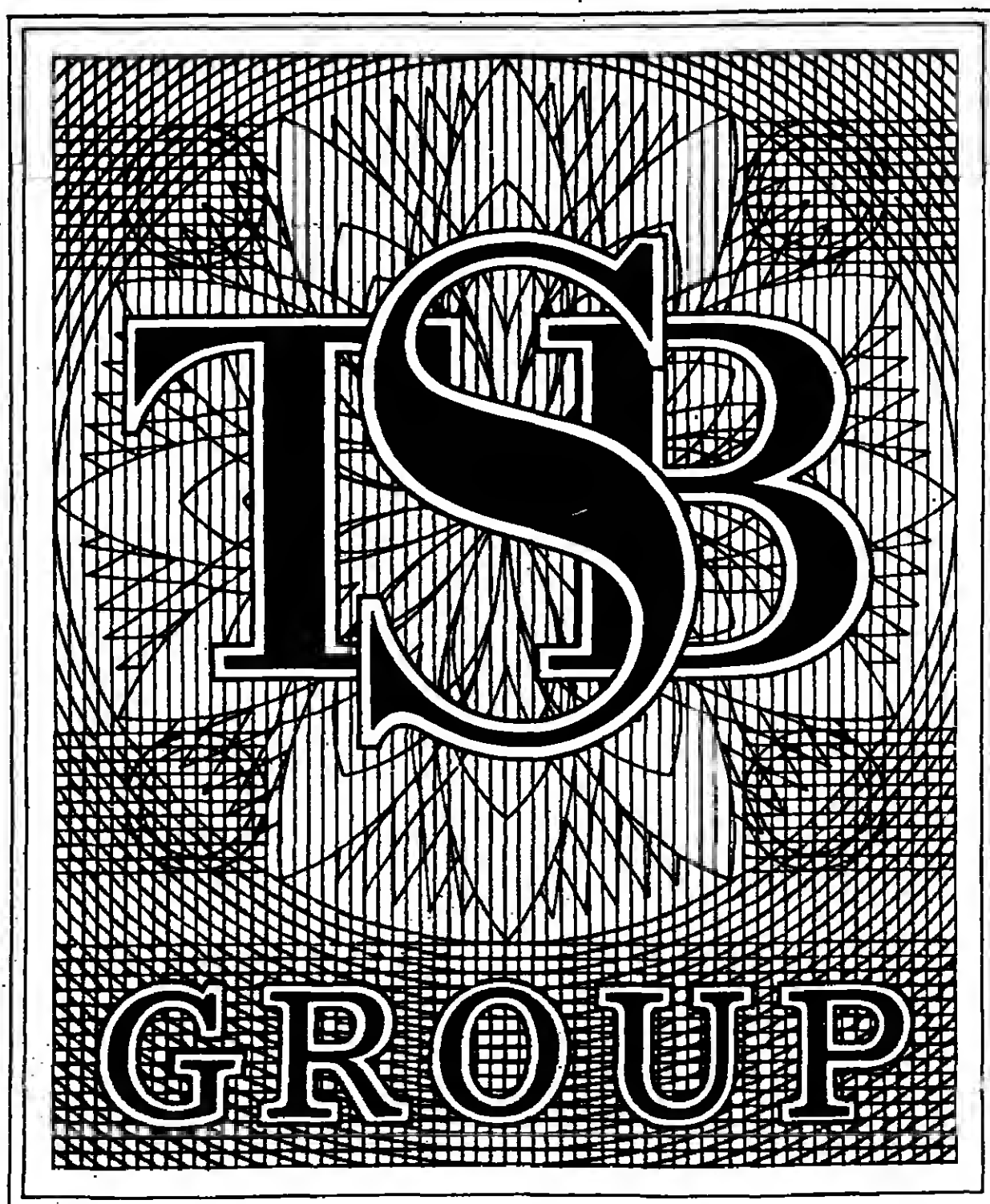
And TSB Group has become one of the UK's

largest financial service operations.

Our banking and insurance businesses are channelled in two streams behind our two strong brands: TSB and Hill Samuel.

We are developing both of them in their appropriate markets, and making sure they have the resources to succeed.

They already have a head start.



Banking and beyond.



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**DANAR**







British scientists are going down Europe's deepest mine to discover the origin of the universe. Nigel Hawkes reports

# Journey to the secrets of Earth

British physicists are about to go down the deepest mine in Europe to try to find answers to the origin of the universe. Within the next few months, detectors will be set up in a cavern at the bottom of a potash mine in Boulby, near Whitby, North Yorkshire.

Out of reach of cosmic rays and protected from radioactivity by 200 tons of ultra-pure water, instruments will look for the elusive signature of cold dark matter, of which astronomers believe nine-tenths of the universe is made.

The team, from Rutherford Appleton Laboratory, Imperial College, London, and five other universities, does not expect immediate results.

Success, however, would result in one of the century's most exciting discoveries in physics, bought at a cost that is tiny by comparison with the expense of the huge atom-smashers more commonly used by physicists.

The search seeks to resolve one of the most puzzling paradoxes in cosmology. Astronomers can account for the observed shape and behaviour of our galaxy and of the universe as a whole by the laws of gravitation, but only if there is a lot more material around than we can see or feel.

To make the universe work as it does, 90 per cent of its mass must

be invisible. Such matter might, perhaps, consist of many Jupiter-sized stars too faint to see, or even black holes a million times the mass of the Sun.

Alternatively, there could be another class of matter, consisting of unknown particles that spread like a soup through the universe. These would be invisible because they give off no light or other radiation, and would not interact with ordinary matter because they carry no electric charge. They would drift around comparatively slowly, passing unnoticed right through us and the Earth itself.

Every now and then, by the laws of chance, a particle would collide with the nucleus of an atom of ordinary matter. This is what the physicists hope to observe.

What chance is there that such odd particles exist? As it happens, physicists have postulated that similar particles exist to explain their theories of matter.

The universe-scale theories of cosmology, which look at how the universe was put together, and the sub-atomic theories held by the particle theorists both incorporate the existence of similar particles. Neil Spooner, of Imperial College, a member of the team, says these theories make "a very strong argument that the particles might exist".

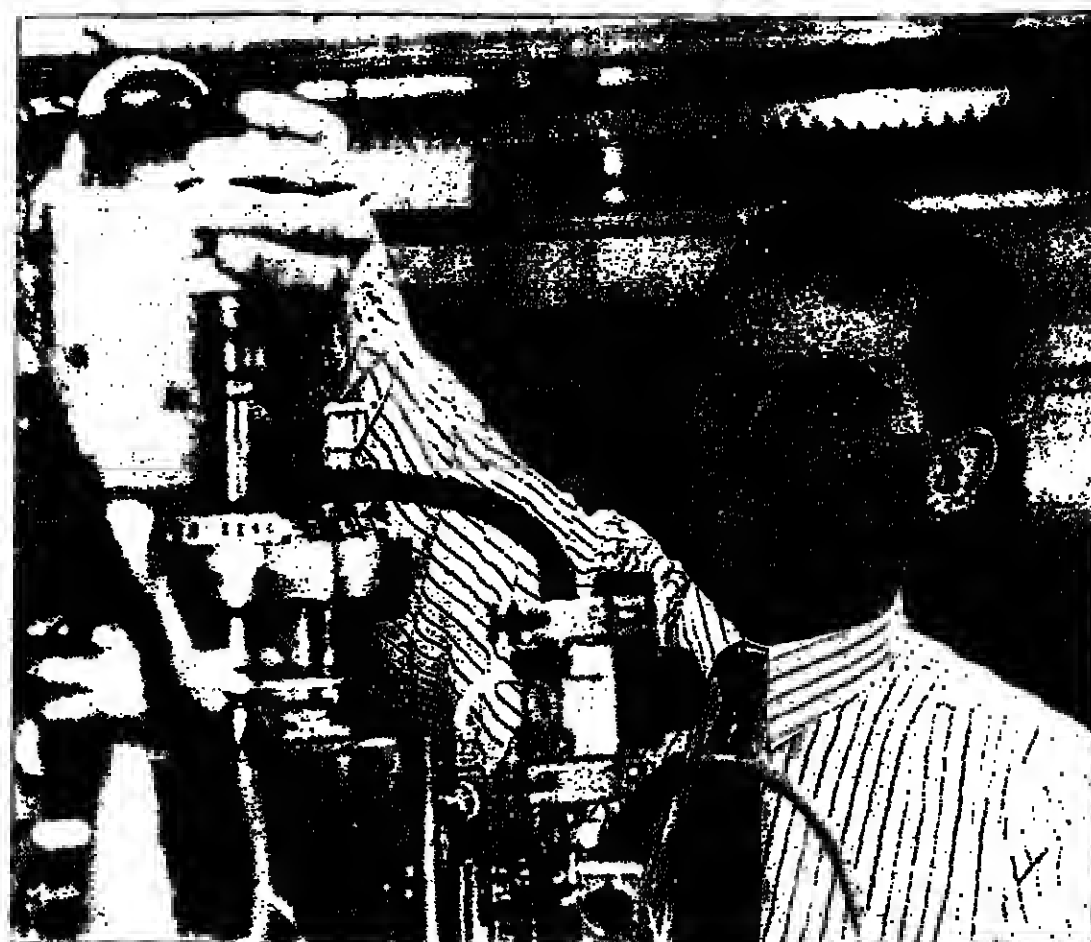
The theories say that cold dark

matter particles passing through a 1kg mass of regular matter would collide with an atom just once a day. So the idea is to design a series of different detectors, each weighing about a kilogram, set them up and try to detect the collisions.

Here the problem of cosmic rays and background radiation arises. Every minute at least ten cosmic-ray particles pass through your body. Natural radioactivity produces at least a million interactions a second in a 1kg detector. These signals swamp anything that cold dark matter might produce.

At the bottom of the shaft of the Boulby mine, however, the cosmic rays are filtered out by more than a kilometre of rock. Here a large cavern 10m wide by 15m high has been carved from the earth, which at this point is not potash but salt.

The radioactivity of salt is low, but the necessary further shielding is provided by filling a steel container 6m in diameter and 6m high with highly purified water. Into the centre of this tank detectors will be lowered in the next few months to check how effective the shielding of rock and water is. If the calculations are correct, the detectors should register nothing at all but the once-a-day "knock on the door" from cold dark matter. The odds are,



Seeking a universal truth: Neil Spooner, a scientific investigator, in the Imperial College laboratories

however, that a lot more fine-tuning may be needed. The measuring programme could last ten years.

A variety of detectors has been designed, using semiconductors such as gallium arsenide, and scintillation counters made of sodium iodide, which respond to the atomic collision by emitting a

flash of light. Another type of detector, cooled to within a few thousandths of a degree of absolute zero, will try to measure the heat generated by the collision. Using this variety of targets should enable deductions to be made about cold dark matter particles, if any are seen.

The team, comprising about 20

people, is funded by the Science and Engineering Research Council at about £300,000 a year.

Britain is not alone in pursuing cold dark matter, but the Boulby mine, Dr Spooner says, is "one of the best sites in the world to find it". He adds: "We have world standing in this field, if not world leadership."

## Flies save world

FLIES from Mexico have saved much of the world from a deadly worm that had established a beachhead in north Africa, says the UN Food and Agriculture Organisation (FAO). The new world screw-worm has been eradicated from north Africa by shipping 40 million sterilised flies from Mexico to Libya every week for six months. FAO says the screw-worm would have spread throughout Africa, the Middle East, southern Europe and eventually Asia, causing "incalculable" damage to humans and wildlife.

## Blow-up

AN ERUPTION of a volcano on Io, one of Jupiter's moons, can be seen from Earth, more than a decade since it was believed to have gone dormant. Arizona University scientists report. The volcano was noticed in March 1979 in photographs taken by Voyager 1. Four months later, images from Voyager 2 showed that it had fizzled out. The volcano, the scientists report in the current issue of the *Astronomical Journal*, is erupting again.

## Costly virus

A COMPUTER expert who unleashed a computer virus that in 1988 paralysed 6,000 computers linked to a government network has lost his US Supreme Court appeal. Robert Morris, aged 22, had been sentenced to three years' probation, and fined \$10,000 (about £5,750) and 400 hours of community service. He said his "experiment" had got out of control.

## Soldiering on

ITALIAN authorities have told Austrian scientists to return the body of a Bronze Age warrior found in the Alps after experts confirmed it was found on Italian territory. The provincial authorities in northern Bolzano, said they would not order an end to tests by experts in Austria.



Pointless spending? Lord Young

Telepoint was expected to make Britain a leader in mobile communications. What went wrong?

## Disengaging a failure

THE suspension last week of the last of Britain's three telepoint services marks the end of a project that has, according to CIT Research, a telecommunications research consultancy, resulted in losses of more than £90 million. The failure casts doubt on even more ambitious plans to start another form of cheap mobile phones in 1993 - personal communications networks - although, unlike telepoint, such networks will allow incoming as well as outgoing calls.

The plan had been to make Britain the first country in the world with a new type of cheap mobile phone system. When Lord Young, then secretary of trade and industry, early in 1989 announced

licences for four operators to start services, more than a million users were expected to sign up within a few years.

The owners of telepoint phones were able to make calls within 100 yards of base stations situated in public places, but to use them they needed to buy a £200 handset and pay a monthly subscription charge of about £8. Furthermore, only outgoing calls could be made and though call charges were supposed to be about the same as those from public

call boxes, they were often much higher. Telepoint always suffered from a low image and practical limitations. The phones, said to be the poor man's answer to the more costly and versatile cellular mobile telephones, run by Cellnet and Vodafone, were also disliked by business people for their inability to receive calls. And the charges were too high for domestic users.

When the Phonepoint consortium, led by British Telecom, suspended its service last week, it had more than 3,000 base stations but only 800 customers. The two other telepoint networks, Callpoint and Zonephone, had already been suspended. A fourth telepoint operator, BYPS, failed to start a service.

The latest issue of *What to Buy for Business* magazine says that telepoint "ranks alongside the Sinclair C5 electric car as one of the great marketing flops of our time". It adds: "The fact that call charges proved significantly higher than expected when the services were first launched had a great deal to do with the poor customer response."

MATTHEW MAY

## Queen's Bench Divisional Court

### Culpable neglect finding wrong

*Benham v Poole Borough Council*

Before Lord Justice Nolan and Mr Justice Potts

[Judgment October 8]

Justices who decided that an unemployed person's failure to pay his community charge was due to culpable neglect because he had the potential to earn money should not have made such a finding without clear evidence that employment had been on offer and that he had refused it.

Where a debtor had no income and no assets at the date of an application for commitment to prison, justices should not have issued a warrant for an immediate commitment without first considering the alternatives available.

The procedure by which a person failed to pay a community charge was due to his culpable neglect as he had the potential to earn money should not have made such a finding without clear evidence that employment had been on offer and that he had refused it.

The Queen's Bench Divisional Court so held allowing

Stephen Benham's appeal by way of case stated against the decision of Poole Justices to grant Poole Borough Council's application for a warrant committing him to prison for 30 days for non-payment of his £404 community charge under regulation 41(3) of the Community Charges (Administration and Enforcement) Regulations (SI 1989 No 438).

Mr Benedict Emmersoo for the appellant; the council and the justices did not appear and were not represented.

MR JUSTICE POTTS said that the evidence before the justices was that, at the material time, the appellant was not working, had no income and no personal assets. He was aged 24, in good health and had nine 0 levers. He had been refused income support.

The justices decided that his failure to pay the community charge was due to his culpable neglect as he clearly had the potential to earn money to discharge his obligation to pay. The appellant argued that it was a pre-requisite for a finding of culpable neglect that a debtor had, or had had, the means of

paying and that he had so organised his finances as to be unable to pay. If the debtor neither had the sum nor had disposed of the sum he could not be guilty of culpable neglect. In the court's view, the justices' finding of culpable neglect was wrong. In certain circumstances a failure on the part of a debtor to work might constitute culpable neglect but before such a finding could be made a court would need clear evidence that the debtor was on offer to the employer and that he had refused it. No such evidence had been adduced.

Even if the justices had been justified in their finding of culpable neglect their decision to commit the appellant to prison was wrong. The justices found that the appellant had no income and no assets at the time he appeared before them and in those circumstances was incumbent upon them to consider the alternatives to an immediate commitment to prison.

LORD JUSTICE NOLAN, agreeing, said that the judicial review application and the appeal by way of case stated both

raised the same substantive issues. As a general rule judicial review was reserved for cases where legislation provided for no adequate alternative remedy. Appeal by way of case stated was preferable as a means of examining justices' decisions.

However, serious difficulties arose where a person was committed to prison and justices refused bail. In a criminal matter a bail application to a High Court judge could be made as soon as the application for the justices to state a case was made.

In a civil case a bail application could not be made until the case stated was lodged in the High Court. Therefore, an application for judicial review was necessary to create an immediate substantive High Court procedure to which a bail application could be attached.

In order to avoid criticism, this appellant had also appealed by way of case stated. Such a situation was a wasteful duplication of expense and effort. An enquiry into the best means of avoiding it in future was a matter of urgency.

Solicitor: Nicholas T. M. Roberts, Southampton.

*In re First Express Ltd*

Before Mr Justice Hoffmann

[Judgment October 8]

An *ex parte* order should not be made against a party without giving him an opportunity to be heard, unless giving such an opportunity appeared likely to cause injustice to the applicant by delay of action likely to be taken by the respondent, and where the court was satisfied that damage to the respondent could be compensated by a cross-undertaking, or where the risk of uncompensable loss was clearly outweighed by the risk of injustice to the applicant.

Mr Justice Hoffmann so held in a reserved judgment in a Chancery Division on a motion by Ian John Allan and Maurice Charles Withall, partners in Grant Thornton, joint administrative receivers of First Express Ltd, in voluntary liquidation, to commit Richard Kravetz, liquidator of the company, for contempt of court for failing to comply with an *ex parte* order made by Mr Registrar Dewhurst on February 25, 1991 that Mr Kravetz should transfer to the applicants all the books and records of the company together with all money held on the company's behalf.

Mr Kravetz, the respondent, in a cross-motion, applied to have the registrar's order set aside on the grounds that it should never have been made *ex parte*, that the affidavit in support was seriously misleading and incomplete and that on its merits the order should not have been made.

Miss Mary Stokes for the applicants; Mr Adrian Francis for the respondent.

MR JUSTICE HOFFMANN said that he was firmly of the view that it was wrong for the application to have been made *ex parte*. It was a basic principle of justice that an order should not be made against a party without giving him an opportunity to be heard. The only exception was when two co-defendants were satisfied.

First, that giving such an opportunity appeared likely to

cause the applicant injustice, by reason either of delay or action which it appeared likely the respondent or others would take before the order could be made, and

Second, when damage to the respondent was compensable under a cross-undertaking or where the risk of uncompensable loss was clearly outweighed by the risk of injustice to the applicant if the order were not made.

Applicants tended to think that a calculation of the balance of advantage and disadvantage in accordance with the second condition was sufficient to justify an *ex parte* order.

That attitude should be discarded. One did not reach any balancing of advantage and disadvantage unless the first condition had been satisfied.

The principle *audi alteram partem* did not yield to a mere utilitarian calculation and could be displaced only by invoking

the overriding principle of justice which enabled the court to act at once when it appeared likely that otherwise injustice would be caused.

Here there was nothing to preclude an *inter partes* hearing. It seemed likely that the applicants' solicitors had confused the application under section 234 of the Insolvency Act 1986 with one under section 236 for a private examination before the registrar.

The affidavit in support also gave a grossly misleading impression of the dealings between the applicants and Mr Kravetz, suggesting that he had done nothing but remain sullenly and silently in possession of the company's records and money, and did not mention that documents had been collected two days before the affidavit was sworn.

Those omissions and misrepresentations were serious and misleading. If the registrar

had known the full story, it was unlikely that he would have made the order *ex parte*.

There were serious questions of law and fact to be investigated before it could be decided how much, if any, of the money held by Mr Kravetz should be handed over to the administrative receivers.

The registrar's order would be discharged accordingly. It would not be to the public interest to impose any penalty for contempt of court other than by a costs order. The costs of the section 234 order and the motion to discharge, including the costs of the hearings, while the respondent should pay the applicants' costs of the motion to commit, excluding the costs of the hearings, both to be taxed on an indemnity basis, if not agreed, and set off against each other.

Solicitors: Alsop Wilkinson; Vallance Lickhills.

## Scots Law Report October 10 1991

### Deadline for bus bids

*Henjac 171 Ltd v Secretary of State for Scotland and Another*

Before Lord Coulsfield

[Judgment July 11]

A statement in a letter from a statutory authority inviting bids for a nationalised company in the course of a statutory programme of disposals that, if after the deadline for bids but before the completion of a contract with the preferred bidder, a further competitive offer was received, then "there may be no alternative but to consider that offer" did not oblige the authority to consider the merits of the offer made by one of the bidders which was received after the deadline.

Lord Coulsfield so held in the Outer House of the Court of Session, dismissing a petition for judicial review brought by Henjac 171 Ltd against the Secretary of State for Scotland and the Scottish Transport Group, seeking reduction of a decision by the former to grant consent under section 4(2) of the Transport (Scotland) Act 1989 for the Group to proceed with the sale of Fife Omnibuses Ltd to Stagecoach (Holdings) Ltd.

Mr Colin MacEachern, QC, for the petitioners; the Solicitor General for Scotland (Mr Alan Rodger, QC) and the Clerk of the Faculty of Advocates (Mr Raymond-Doherty) for the secretary of state; Mr Matthew Clarke, QC, and Mr Neil Davidson, QC, for the Scottish Transport Group; Mr Nigel Emslie, QC, for Stagecoach.

LORD COULSFIELD said that the petitioners had been formed as a vehicle for a management employee buy-out of Fife Omnibuses Ltd which was to be sold by the Scottish

Transport Group in accordance with a procedure set out in a disposal programme prepared by the secretary of state under section 1(1) of the 1989 Act.

Paragraph 5 of appendix 2 of the programme provided that, when seeking the secretary of state's consent under section 4(2) for the sale of a company, the group would "submit details of all bids received together with a statement of their reasons for proposing to accept a particular bid."

In accordance with the programme, the Group had sent a letter of invitation to potential purchasers, including the petitioners, inviting indicative bids for Fife. The petitioners had submitted such a bid.

By a second letter the Group had invited the petitioners, *inter alios*, to submit a formal sealed offer. The letter had stated that bids had to be received by a specified date and that once the secretary of state had approved the bid recommended by the Group arrangements would be made with the successful bidder for completion.

The letter continued: "If prior to completion a new competitive offer is made, [the Group] is obliged to make the contents of such an offer known to the secretary of state and there may be no alternative but to consider that offer. It is therefore in your interest to be able to complete the transaction as soon as possible."

The petitioners had immediately submitted a sealed offer. After the deadline had passed they had learned that the Group proposed to apply to the secretary of state for consent to a sale of Fife to Stagecoach. The petitioners then wrote formally increasing their offer.

The secretary of state had

subsequently announced his decision and contended that, having regard to the letter of invitation, the secretary of state had required to consider the terms of their revised offer. Their critical allegation was that both he and the Group had failed to consider its merits.

Their argument came to depend on the paragraph of the letter above quoted and the duty under paragraph 2 in the programme. They argued that there would be no point in submitting bids to the secretary of state if they were not to be considered on their merits, and that the terms of the letter were, at least by implication, an indication that any bid received prior to completion would be considered.

In his Lordship's opinion their arguments were not well founded. There was no implication in paragraph 2 that the respondents were precluded from treating the deadline as final and refusing to consider the merits of a late bid.

The sentence in the letter of invitation was an indication that the preferred bidder would be expected to proceed with expedition towards completion. There was nothing in the sentence which could be regarded as a promise, or even a hint, to those engaged in the bidding process that a bid submitted after the closing date would be considered on its merits.

The petitioners' attempt to show that there had been an error in law or procedure therefore failed.

Solicitors: Henderson & Jackson, WS; Solicitor to the Secretary of State, W. & J. Burnett, WS; Shepherd & Wedderburn, WS.

## Planning consent changes nuisance basis

*Gillingham Borough Council v Medway (Chatham) Dock Company Ltd and Others*

Before Mr Justice Buckley

[Judgment July 31]

Where planning consent had been given for a development or change of use, the question of nuisance would thereafter fall to be decided by reference to a neighbourhood with that development or use and not as it was previously.

Mr Justice Buckley so held in the Queen's Bench Division in dismissing an action brought by Gillingham Borough Council, pursuant to section 222 of the Local Government Act 1972 in order to promote or protect the interests of the inhabitants in its area. The defendants were Medway (Chatham) Dock Company Ltd, operators of the port, and Crescent Wharves Ltd and Ship Link Terminals Ltd, their subsidiaries who or whose customers sent heavy goods vehicles to a road out of the port through the sole gate which led on to substantially residential roads.

The council alleged that the use of those roads by numerous heavy vehicles at night amounted to a public nuisance for which the defendants were responsible and sought a declaration to that effect and an injunction preventing such use.

Mr David Widdicombe, QC, and Mr Gregory Stone for Gillingham; Mr Peter Ashworth, QC, and Mr Michael Douglas for the defendants.

MR JUSTICE BUCKLEY said the defendants submitted that a public nuisance could not arise out of a lawful act. However, his Lordship had

always assumed that public nuisance was primarily concerned with the effect of the act complained of as opposed to its inherent lawfulness or unlawfulness.

His Lordship therefore rejected the submission. It was not necessary for his Lordship to hold that otherwise lawful use of a highway could never amount to a public nuisance, whatever the circumstances and however excessive the use. Extreme circumstances could arise when it could be right to hold: see *Halsey v Esso Petroleum Co Ltd* (1961) 1 WLR 683. The question was to be decided on the facts.

His Lordship had been referred to no cases directly considering the interplay between planning permission and the law of nuisance. Many cases had considered statutory authority as a defence to nuisance. His Lordship believed that the same principle should be utilised in respect of planning permission.

Parliament had set up a statutory framework and delegated the task of balancing the interests of the community against those of individuals and of holding the scales between individuals to the local planning authority. There was the right to object to any proposed grant, provisions for appeals and enquiries and ultimately the minister decided. There was the added safeguard of judicial review.

It had been said, no doubt correctly, that planning permission was not a licence to commit nuisance and that a planning authority had no juris-

diction to authorise nuisance. However, a planning authority could through its development plans and decisions alter the character of a neighbourhood. That could have the effect of rendering innocent activities which prior to the change would have been an actionable nuisance. *Allen v Gulf Oil Refining Ltd* (1980) QB 156.

His Lordship had to judge the nuisance claim by reference to the present character of the neighbourhood pursuant to the planning permission for use of the dockyard as a commercial port and held that the undoubted disturbance to the residents was not actionable.

It was only a nuisance inevitably resulting from the authorised works on which immunity was conferred. Where planning consent had been given for a development or change of use, the question of nuisance would thereafter fall to be decided by reference to the neighbourhood with that development or use and not as it was previously.

Mr Ashworth had submitted that if all else failed, European law would come to his rescue. His Lordship was prepared to assume that *prima facie*, an injunction could amount to a measure having equivalent effect to a quantitative restriction of imports.

However, his Lordship did not believe that an injunction granted *bona fide* for the protection of residents against a public nuisance would offend article 30 of the EEC Treaty.

The injunction would not be designed to govern the pattern of trade between member states.

It would be in pursuit of a valid policy of protecting the public or a class of the public from unwarranted disturbances to the quiet enjoyment of their homes. That could be justified as being consistent with the objectives of public interest and article 30 would not apply.

His Lordship would be surprised and disappointed if the so-called "rule of reason" and the purpose approach displayed by the European Court of Justice in its application of such articles as 30 and 36 did not achieve the same answer.

Solicitors: Sharpe Pritchard for Mr Alan J. Broome, Gillingham; Brachers, Maidstone, Freshfields, and Martin Tolhurst Partnership, Strood.

## Judges must not act as expert witnesses

*Regina v Simbolyal*

A judge would be vulnerable to proper criticism if he appeared to be acting as a handwriting expert and started comparing examples of the defendant's signature.

The Court of Appeal, Criminal Division (Lord Justice Watkins, Mr Justice Rousier and Mr Justice May) so held on October 2 when allowing an appeal by Roy Subashand Simbolyal against his convictions by Southend-on-Sea Crown Court (Judge O'Brien and a jury) of using a false instrument with intent and making a false statutory declaration.

LORD JUSTICE WATKINS said that the complaints against the judge were that he had asked far too many questions of the defendant and in effect taken over the role of the prosecutor. That was clearly undesirable and no judge should do that.

It was further complained that the judge had turned himself into a handwriting expert and compared examples of the defendant's signature. A judge who did that would be vulnerable to proper criticism.

A judge should not be seen as a witness who held himself out as capable of comparing handwriting and reached conclusions on the comparisons.



# Mystery that is in the mind

The Japan Festival is now in full swing, bringing the flavour of the East to Britain. Toshio Watanabe explains that the country has always absorbed foreign influences, and is far from inscrutable

What is Japan about? In most British minds, Japan seems to evoke two distinct images: the slick products of technology made by super-efficient industries, and a mysterious traditional culture imbued with ancient ritual. Cars, Walkmans and cameras on the one hand, and the tea ceremony, flower-arranging and martial arts on the other. Japanese modernity is equated with Westernisation, but traditional cultural pursuits are seen as quintessentially Japanese.

There are several problems with these images. The first comes from associating the efforts of modernisation by the Japanese exclusively with Japan's Westernisation. It is true that within the past century and a half, the West produced the most viable model for modernisation in most aspects of life, whether with the Armstrong gun, the steam engine, the electric kettle or the water closet. When the Japanese discovered these, they did not want to do without them.

However, for most of its history, Japan has been keen to modernise its nation by emulating foreign cultures, not just those of the West, but also those of Korea and China.

This leads to the second problem: the tradition of Japanese. In fact, much of what is usually regarded as Japanese has its roots not in Japan but on the Asian continent, or in some cases, even in the West. The ancient Japanese court music of *gagaku* is based more or less on Asian continental music.

The 7th-century buildings of Horyuji temple in Nara, the oldest wooden structure in the world, are based so closely on continental Asian design that they appear in books on the history of Chinese architecture. Scholars have traced the origin of the bulging entasis columns of Horyuji via China and Persia to Greek antiquity.

The tea drinking ritual was brought to Japan from China by Zeo monks at the end of the 12th century, and was later developed into the tea ceremony.

Stripe design in textiles, regarded now as characteristically Japanese, first became popular in Japan as exotic wear during the initial period of Japanese contacts with the West, from the mid 16th to the early 17th century. This fashion originated in southeast Asian textiles imported by Portuguese merchants.

Even *tempura*, the Japanese fried dish of battered prawns and vegetables, owes its recipe and the etymology of its name to the Portuguese visitors of the 16th century.

The third problem is what is seen as the inscrutability of Japanese traditional culture. This image of Japan in the West usually has less to do with Japanese culture itself than with the Western observers' view of their own



Art form from China that Japan made its own: early 13th-century statues in wood with gold leaf at the British Museum's Kamakura exhibition

culture. They try to see in Japanese culture something that is different from their own.

That is why they are often so upset by Japan's Westernisation. Compared with the superficial and secular consumer society of the West, Japan seems to offer an unfathomable and enduring tradition of culture, full of spiritual value.

However, many Japanese tourists seeing Westminster Abbey, St Paul's Cathedral and the Changing of the Guard at Buckingham Palace would regard London as the bastion of traditional culture and spirituality, and condemn Tokyo as hopelessly lacking in such matters, as no great religious building there can compete remotely in its antiquity with London's churches.

Anything we know little about may look mysterious or inscrutable. With no information, a Noh theatre performance may certainly look just that but, then, so would Morris dancing to an uninformed Japanese. There is nothing inscrutable about Japanese culture. One simply has to be prepared to do a bit of homework.

An illustration is how many eager

and enthusiastic Westerners one encounters these days at a Noh performance in Tokyo. For them, the performance does not seem to be inscrutable. In fact, with a good translation at hand, the plays are quite easy to follow, as the plots are usually not complex.

The traditional culture of Japan, but also its Westernisation, seem to be shrouded in mystique. Although the origin of companies such as Hitachi, Honda, Nissan, Sony and Toyota may have been based on the imitation of Western technology, their subsequent business success is often seen as peculiarly Japanese.

In particular, their personnel structure and labour relations are frequently regarded as the prime factor in this success and as unique to Japan. Yet many of the bow-to-learn-from-Japan books that have been published on the premise of the uniqueness of Japanese business practices have an inherently contradictory approach. If Japanese business structure is conditioned by its unique culture, how can it be exported to other Japanese cultures? If it can work

in Sunderland or Wales, it cannot be because of a unique Japanese culture.

Indeed, the theory of Japanese uniqueness has had quite a bashing from Japanologists recently, and rightly so. Of course, some of the chief offenders in this respect are the Japanese themselves. The shelves of Japanese bookshops are graining with books on the so-called *nikonjin-ron* (the discourse on the origin, essence, characteristics, uniqueness, and so forth of the Japanese).

What, then, is Japan about? Japanese culture is unique only in the sense that British culture is unique. Every culture has its own unique geography, history and relationship with other cultures, all of which affect its development.

For Japan, its geographical position as a group of islands off the Asian continent means that it was generally too far away to be the target of aggression from the continent, but often near enough to benefit from the cream of the continental culture. In modern history, Japan was never colonised by a foreign power, but had two near-misses.

One was the two invasions during the 13th century by the Mongols, who ruled China at the time. Both expeditions were curtailed because of severe damage inflicted on the fleets by typhoons. The second near-miss was the second world war, but although Japan was at times occupied by foreign forces, this did not result in the colonisation of the country.

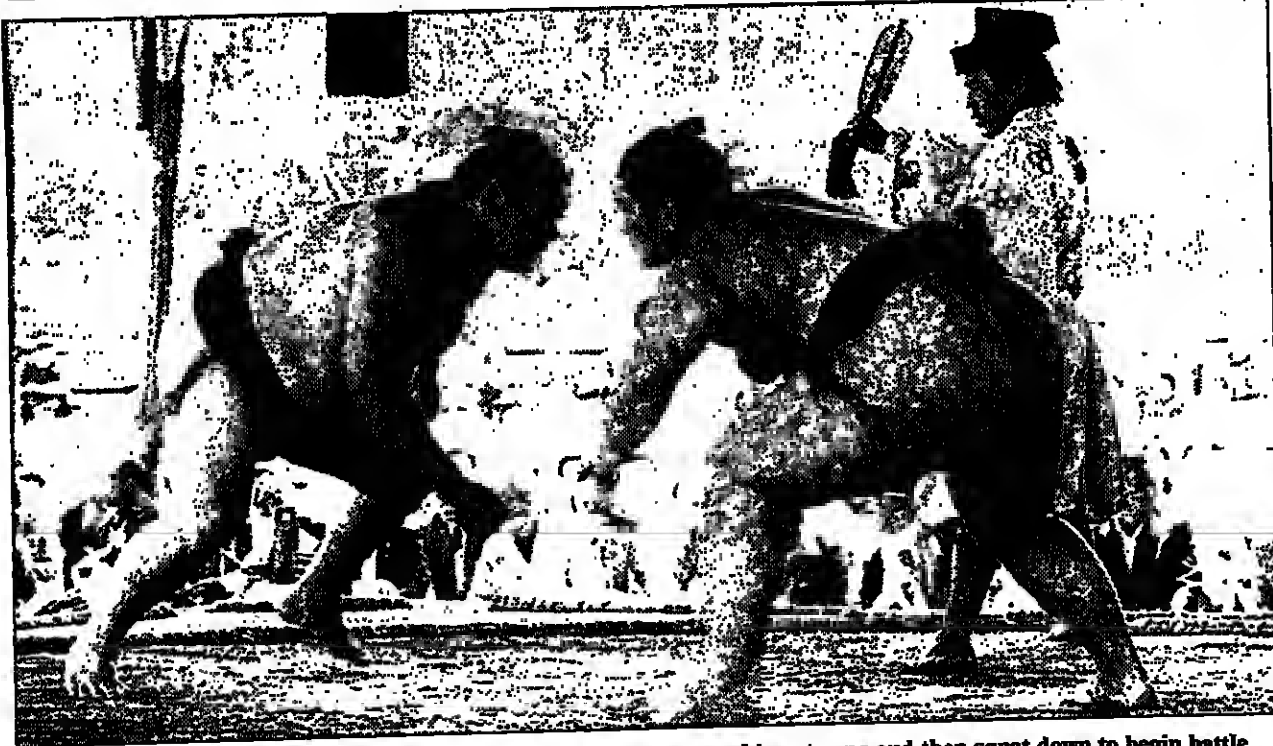
Japan has always been aware of superior cultures elsewhere, but has not had to defend itself seriously against them. This has resulted in two characteristic attitudes of the Japanese: they have immense curiosity about high-quality foreign cultures – to which they apply a characteristic motto of adopt, adapt and improve – but at the same time they feel a certain inferiority complex. In Switzerland, the watch shops are packed with Japanese tourists buying Omegas and Rolexes, though back at home they have a superb watch industry now dominating world trade.

In many ways, the humble curiosity of the Japanese has helped them greatly so far, but cultures are not stagnant. Japan has now become a super-power. It is unused to assuming the role of a leader in international relations. We all know what an unhappy experience it was when this last happened. It needs help and understanding from others. The Japan Festival provides a golden opportunity to find out that the Japanese are not inscrutable at all.

● The author is the professor of history of art and design, Chelsea College of Art and Design, London Institute, and a selector of the exhibition, *Japan and Britain: an Aesthetic Dialogue 1850-1930*, at London's Barbican art gallery



Sailing boats in the bay: a woodblock print by Hokusai, the artist best known in the West. Japanese painting was also influenced by the Chinese



Eyeball to eyeball: two wrestlers warm up with a few demon-crushing stomps and then squat down to begin battle

## Quake, rattle and roll

Sumo wrestling, featured at the Albert Hall this week, re-enacts an ancient clash over which god would rule Japan

Sumo wrestling has always been much more than a sport. Sport, in the sense of team games played for fun and relaxation, was virtually unknown in Japan until the late 19th century, when a stick and some hard balls arrived at Yokohama on an American ship, and the Japanese were transformed into baseball fanatics overnight. Before that, Japanese "sport" had consisted of martial arts such as kendo and judo, which are mental, physical and spiritual disciplines designed to forge the mind and body.

The first sumo match was placed by the Japanese in mythical times, when two gods battled on the beach at Izumo, on the Japan Sea, over who would rule Japan. The winner, Takemikazuchi, became the founder of the imperial dynasty and thus the direct ancestor of the present Emperor. With such weighty antecedents, it is hardly surprising that sumo was, from the very beginning, an integral part of the Shinto religion.

In early days, sumo matches were performed in front of the imperial court to entertain the gods so that they would ensure a good rice crop. Many Shinto shrines still have their own *dohyo*, or ring, and sumo is still performed as a kind of fertility ritual. At Yasukuni Shrine in Tokyo, there is a sumo tournament every spring to honour the war dead.

Sumo is also Japan's *kokugi*, national skill or sport, an honour it acquired around the same time that baseball bats were flooding the country. These days, baseball is undoubtedly Japan's most popular sport, but sumo, with its gigantic wrestlers, still occupies a special place in people's hearts.

Sumo is intensely competitive and exciting, as attested by the crowds who gather to watch the six annual tournaments. These last 15 days each, and are the only occasions on which wrestlers have the chance to rise or fall on the sumo ladder.

The wrestlers practise every day of the year, rising at four or five in the morning and exercising for five or six hours before they eat.

As a result, despite their vast size, they are finely tuned athletes. But it is also their role to preserve the traditions and ancient rituals embodied in sumo.

The *dohyo* is a sacred place. It is round and made of special clay. The perimeter is marked by 20 small bales of rice straw. Before each tournament, it must be freshly built, then purified by the senior referee, dressed in the white robes of a priest. Above the ring haags a

heavy, tasselled roof, modelled on the roof of a Shinto shrine.

Women are not allowed to step inside the sacred ring, for fear of defiling it, something which created a furore a few years ago, when the government minister who traditionally hands over the trophies happened to be a woman.

To the end, the conservative Sumo Association won, and the prizes were presented outside the ring.

Much of Sumo is to do with purification and before the fighting can start in earnest the wrestlers have to carry out a series of rituals. At the beginning of each day of the tournament, they enter the ring in procession, dressed in splendid, colourful brocade aprons. The referee announces their names and place of origin, then they clap (a traditional act of purification, always performed at a Shinto shrine), lift their ceremonial aprons, and raise their arms to show they have no concealed weapons.

In the case of a *yokozuna*, or grand champion, the procedure is yet more theatrical. He wears a heavy, plaited rope, identical to the one that bangs

outside every shrine. Once he has clapped, he raises one leg high into the air, pauses and makes two mighty stomps on the ground, to drive away any demons that might be lurking. Sumo is famous for the unconscionably long time it takes before the action begins. Once the two wrestlers are facing each other, they clap again, warm up with a few demon-crushing stomps, and sip some "power water". Then they toss salt into the ring (more purification) and squat down to face each other, eyeball to eyeball.

At one time, it was up to their discretion how long this psyching-out continued, but now, with television coverage and the limited concentration span of observers, there is a time limit of four minutes.

Finally, the two behemoths crash together with a resounding thud. The match is over within seconds. The winner is whichever of the two manages to thrust his opponent out of the ring, or to force him to touch the ground with any part of his body except the soles of his feet.

He gestures to the four directions to thank the gods for his victory. Then the two leave the ring with great dignity, neither of them showing any emotion over the result.

LESLEY DOWNER

● Sixty-seven top sumo wrestlers are competing at the Grand Sumo Tournament at the Royal Albert Hall until October 13.

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# Furious battles and serene family life

Although the West did not notice it until 1951, Japan had had a thriving cinema industry since the earliest days. Lumière's early products were demonstrated there in 1897 and immediately led to local production of short films, showing simple recordings of everyday life or scenes from Kabuki plays.

Film was held in disrepute in Europe but Japan's middle class took immediately to cinema. This slowed the advance of cinematic art because while Western cinema had to find a form that was distinct from theatrical and literary conventions, Japanese cinema continued to adhere to the old conventions. Women continued to be played by female impersonators well into the 1920s.

Japanese silent cinema was dominated by a by-product of the theatre, the *benshi*, or storytellers, narrating beside the screen.

The 1923 earthquake, which destroyed a third of Tokyo and most of Yokohama, brought a turning point in Japanese cinema. Many studios were destroyed and there was a lull in production, during which foreign films filled the gap. Audiences and filmmakers were suddenly made aware of a new aesthetic in cinema.

During the 1930s, few Japanese films reached the West, and few Western films were shown in Japan. This produced a self-sufficient national industry, which

The Japanese had made films for many years before they achieved world fame, writes Chris Peachment

poured out films for Japan's 2,500 cinemas.

The second world war and the immediate post-war years were thin for Japanese films, especially because 40 of the industry's leaders were purged as war criminals in 1947. By 1950, however, the number of cinemas had been restored to the original 2,500.

In 1951, Akira Kurosawa's *Rashomon* won first prize at the Venice Film Festival. Its story of a rape told from four different points of view was a debate on the ambiguous nature of truth, familiar to Western audiences, and quite possibly a shrewd aim at Western sensibilities. The rich symbolism, beauty of design and psychological insight appealed to Western art-house audiences.

Kurosawa is the Japanese filmmaker who has been most open to Western influence. His earlier *Siray Dog* (1949) is a police thriller in the Hollywood mode, and its plot device, a policeman who has

two days to recover his stolen pistol, was used many years later in Walter Hill's *48 HRS.*

Everybody knows that *The Seven Samurai* (1954) was turned by Hollywood into a Western as *The Magnificent Seven*. However, Kurosawa's film itself owes much to the conventions of the Western. The theme of brave warriors protecting pusillanimous townspeople from marauding bandits is found throughout the works of John Ford, Howard Hawks, and even in *High Noon*. Kurosawa's versatility is undeniable. His *Throne of Blood* (1957) is a blend of Noh and Shakespeare's *Macbeth*, of astonishing beauty and excitement. He adapted Dostoevsky in *The Idiot* (1951), and took *The Bad Sleep Well* (1960) from an Ed McBain thriller.

His two most recent successes in the West have been costume dramas. *Kagemusha* was the story of an old warrior who hires a "shadow-warrior" to stand in for him in case he is wounded in battle. The sumptuous costumes and epic sweep made it a hit in the West. The furious battle scenes, however, caused some confusion in audiences' minds, and may well have persuaded him to colour-code the respective armies in *Ran*, his recent version of *King Lear*.

This substituted three ungrateful sons for Shakespeare's daughters and used a transvestite cabaret performer as the Fool. The battle scenes were masterly, and the



In the frame: *The Pot Worth a Million Ryo* is one of 50 films by 50 directors showing at the Barbican

ensuing chaos more terrible than Shakespeare's.

The arrival of Kurosawa's films in the West also ushered in Kenji Mizoguchi and Yasujiro Ozu, both of whom had been working about 20 years before Kurosawa's debut. Both can claim to be world-class directors. Mizoguchi, best known for his *Ugetsu Monogatari* (1953) and *The Life of O'Haru* (1952), views all characters with an

unmoralising charity found in the films of Jean Renoir.

His recurrent theme was the position of Japanese women in a society still caught between traditional and modern forces. He is perhaps the most "Japanese" of the three directors, while also being the most universal.

Ozu's cinema always dwells on middle-class interiors, their marital stories and family tensions.

Even he thought his films too provincial to travel. Yet his style, best known from *Tokyo Story* (1953), is one of serene contemplation. His static camera, his intention on his characters, his sense of pathos and his restraint are all to be found in the greatest film-makers such as Carl Dreyer and Luc Bresson, and are an influence on younger Western film-makers. Of the talent that grew in the

1960s, Nagisa Oshima has proved the most serious. His early films such as *Death by Hanging* and *Diary of a Shinjuku Thief* proved him to be the first Japanese director working in a modern world, and his cold, near-surreal eye for the rituals of modern Japan bear comparison with Luis Buñuel.

He is best known, unsurprisingly, for *In the Realm of the Senses* (1978), in which two lovers are filmed in raw detail as they pursue their *amour fou* to its tragic conclusion. It is at once effortlessly shocking, and surprisingly chaste despite its "hard-core" detailing. Since then, Oshima has moved into making international films such as *Merry Christmas*, *Mr Lawrence* which have established his worldwide reputation but may well dilute his vision.

Since the early 1970s, surprisingly few Japanese films have reached British audiences. In Japan, the leading studios have collapsed, and the few surviving big companies have moved into genre movies with little foreign appeal.

Successes such as Mitsuo Yanagimachi's *Fire Festival* and Juzo Itami's *Tampopo* are gratifying, but look like chance one-offs, rather than evidence of a living industry. But Japan still has an industry more than the equal of Britain or France. Why our distributors and exhibitors overlook it is a mystery.

## Fresh thinking in the world of modern design

The past 20 years, even the past ten, have brought a revolution in Japanese design, one less complete for being virtually unnoticed. So much attention has been captured by Japan's dizzying economic growth that the visual component in its achievement has been left to one side and remained largely unobserved abroad.

Yet the ascendancy of Japanese cars or Japanese audio and video equipment is not just a matter of keenly competitive prices. The success has a lot to do also with the way things work — which is, after all, a design function — and the way they look.

Take the case of cars. A decade ago, vast numbers were sold worldwide because they were relatively cheap and generally reliable mechanically. The design was acceptable, but its sources could easily be seen: a little from this best-selling German model, a little from that popular American car, and with any luck the right market buttons were being pushed. Now, Japanese cars are innovative in design, and what they do today their Western competitors are likely to be doing tomorrow.

In the past, the main criticism levelled against Japanese product design, and against Japanese fine art for that matter, was that it tended to be closely imitative. At home, and with things intended for home consumption, sedulous imitation of traditional forms too often took the place of original thinking. Abroad, the great strength of Japanese manufacturers was considered to be their ability to do what their foreign competition was doing, but more cheaply and more efficiently.

Nowadays all that has changed. You need do no more than glance at a handful of the shows connected with the current Japan Festival to sense the new spirit abroad.

Some of the shows, such as Metropolis: Tokyo Design Visions, which will open at the Design Museum next Wednesday, are specifically concerned with the new wave of Japanese product designers. Some, such as *Minget: The Living Tradition of Japanese Art*, now in Sunderland, Tyne and Wear, and due to open at the new Crafts Council galleries in London on November 21, emphasise continuities between what is being produced today and the traditional crafts of Japan.

Perhaps even more telling are those, such as *Visions of Japan* at the Victoria & Albert Museum, that try to give a feeling of life in Japan today. Probably the first area where this striking new creativity showed itself was in clothes and fashion.

In the early 1970s such

names as Issey Miyake, Hanae Mori and Kenzo began to be known in Parisian fashion circles, and known moreover for their boldness and independence, and their ability to create fashions and influence other designers.

What these divergent talents all had in common was a specifically Japanese component deriving from the free use of materials and design concepts native to Japan but still exotic in the West — with the accent on "free".

Although in, say, Miyake's work, a sense persists that he is, after all, Japanese, this is merely a jumping-off point for his intensely individual imagination.

The freedom, above all, strikes one in the graphic design and in the mass-produced products, ranging from



New wave design: fragrant air purifier with bird-like wings

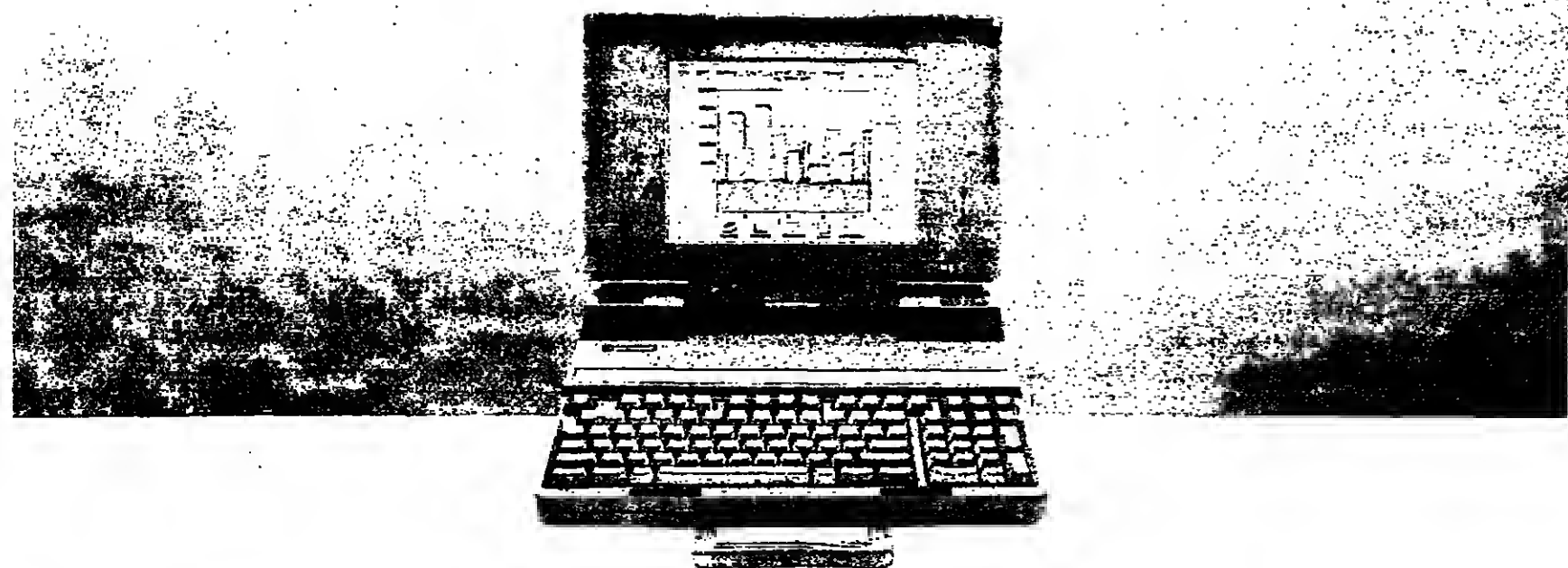
the Nissan Primera and Boga car concepts to the Sony audio-visual products for children, at the Design Museum.

Nobody would maintain that the vending machines and massage chairs that are in the Visions of Japan exhibition at the Victoria & Albert are exactly things of beauty, but then Japanese design can also encompass, where appropriate, a happy and telling vulgarity that marks most of the comic strips for which Japanese have an insatiable appetite.

The best of Japanese design today unself-consciously marries traditional standards of taste and workmanship with more forward-looking and international concepts suited to the modern consumer world over.

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# Theatre flees the shadow of the past

The tension between tradition and change has given the Japanese stage renewed vigour.

Kenneth Rea examines the Western influence

The genius of Japanese theatre rests in the fact that it had centuries to develop its acting traditions in undisturbed isolation, but when it did finally open to the outside world, it was able to learn from Western techniques, make them its own and go one better. Westerners are accustomed to this to electronics and technology, but the Japan Festival 1991 is now impressing the British with Japanese versions of Shakespeare and Lloyd Webber.

Much of the excitement in contemporary productions springs from the tension between tradition and change. Every Japanese director lives and works in the shadow of an awesome theatrical heritage, admired throughout the world. Some draw their inspiration from it, but most rebel against it. Kabuki has been the theatre of the people since its beginnings in the early 17th century. The plays are often violent and erotic, using spectacular staging effects and relying on bravura acting of enormous power. Female roles are played by men in a highly stylised technique that is known as *onnagata*.

Noh theatre, which dates back to the 15th century, always enjoyed the protection of the court, so that it has been passed down relatively unchanged. Every gesture is refined to create an ethereal beauty and the principal actor wears masks of unsurpassed craftsmanship. The pace is slow, but the stillness of the actors is radiant with energy.

Bunraku is surely the finest puppet tradition in the world. The 2½ high puppets are so intricately made that each of them is operated by three people, and the lead puppeteer spends more than ten years learning the art.

The story and all the dialogue are acted out with extraordinary gusto by a narrator, who sits at the side of the stage. Many of the plays, full of romance and superhuman feats, were taken over by Kabuki theatre because they offered challenging roles.

The other great genre, rarely seen outside Japan, is Kyogen. These medieval farces, which use dialogue, masks, mime and acrobatics to tell tales of trickery and deception, have a delightful humanity that recalls some of the knockabout humour of the European mystery cycles.

Against the background of such formidable relics, it is easy to understand the love-hate relationship that

**'The audience is composed mostly of affluent teenagers who want comedy and sensation'**

contemporary Japanese theatre has had with its past. The upsurge of new theatre, *shingeki*, in the 1960s brought a rejection of tradition in favour of radical experiments in form and content. Plays became more political and were presented in the streets, in public buildings and in tents. Shuji Terayama, who died in 1983 at the age

of 47, was the most influential of the 1960s generation of directors, and his disciples can be seen in a visually striking interpretation of *King Lear* at the Mermaid Theatre in central London.

Other directors, such as Yukio Ninagawa and Koichi Kimura, have become more concerned to find a wider audience for the new theatre, sometimes drawing on the techniques of Kabuki and Noh. Ironically, Ninagawa's strongly Japanese versions of *Macbeth*, *Medea* and *The Tempest* found more popularity in Europe than in Japan. His production of Kunio Shimizu's *Tango at the End of Winter* at the Piccadilly Theatre, London, is his first experience of working with English actors.



Striking: the Japanese *King Lear* at the Mermaid Theatre in London

Kimura has also enjoyed recent successes abroad, especially with *The Great Doctor Yabuhara* at last year's Edinburgh Festival, and his production of Tsutomu Mizukami's *Orin* combines fine acting with a powerful visual flair. Like Ninagawa, however, he has found it difficult to reach a large-scale audience with good literary drama. This is partly because the audience for modern theatre is very young, composed mostly of affluent teenagers who want comedy and sensation. As Kimura cynically observes, "the Japanese audience would not recognise good acting if it started them in the face".

The Japanese are flocking to the works of the youngest generation of directors: people such as Shoji Kokami, whose play *The Angels with Closed Eyes* examines the desire of young people to break through their socio-economic Berlioz Wall. Kokami's generation of directors have little to do with Kabuki or Noh. Their inspiration comes from television, disco dancing and the pop culture that envelops them. Their plays are fast, loud and energetic, though often filled

with frantic action at the expense of thoughtful analysis.

At the same time, the traditional theatre is fighting to save its audience. Normally, it relies on the drawing power of virtuoso actors, such as Bando Tamasaburo, who is appearing at London's Royal National Theatre in *Grand Kabuki*. One way of reawakening interest is to experiment with widening the repertoire, as in the *Kabuki Hamlet* and the *Bunraku Tempest*, both at the Mermaid Theatre.

But perhaps the surest way is for actors to break out of their insulated world and find a new audience through other media. When I attended a Kyogen performance in Tokyo last year, it was a surprise to find the theatre packed with teenage girls instead of the customary middle-aged audience.

The reason? One of the girls said: "Oh, the main actor is very young and handsome. He has just played Hamlet and he is famous on television in a coffee commercial."

# Art that leapt out of a packing case

John Russell  
Taylor traces  
woodcut art from  
its primitive  
origins to the  
present day

When Japan was first opened up to the outside world, after centuries of deliberate isolation, the first signs of its culture to take the fancy of Whistler and his friends in London, and the early Impressionists in Paris, were woodcuts.

They were not sent out as objects worthy of attention in their own right, but involuntarily exported as the disposable wrapping of more useful goods.

If any single image represents the Western perception of Japanese art and culture, it would have to be Hokusai's *The Great Wave off Kanagawa*, with its bold asymmetrical composition, its exquisite filigree of foam and Mount Fuji in the distance.

This may be partly because, in the mid 19th century, Hokusai was the first name to register, and for some time he was taken as the quintessence of *Ukiyo-e*, or "pictures of the floating world".

Later came a reaction, as Western scholars learnt more about Japanese art, and realised that Hokusai, far from being the founder of the school, was actually regarded as rather decadent and vulgar by the Japanese.

Whatever the case, Hokusai undoubtedly formed Western ideas, and remains the most famous of all Japanese woodblock artists. Even in the context of the Japan Festival, it is unlikely that any other member of the school would be accorded a one-person show at the Royal Academy.

The Japanese themselves seem to have withdrawn from their former lofty attitude towards him, and have recognised that, whatever he did or did not stand for, he had a generous gift.

We have also gained many artists to put beside Hokusai. We can even tell them apart, see the development of the style over nearly two centuries, and approve one artist for this quality, another for that.

What also emerged from our increasing knowledge was that the *Ukiyo-e* tradition began in simple, even crude folk material, and was gradually refined and sophisticated until it became the

medium for extremely subtle depiction of landscape and character. It gradually broadened again to encompass the work of big, eccentric artists such as Hokusai.

This latter-day return to broad strokes, even courting the charge of vulgarity, ensured the healthy continuance of the art of woodblock print-making up to our own day. To begin with, it meant that the native tradition was flourishing and vital, able to withstand or absorb the constant



Ragone, disciple of Buddha, 1939, by Shiko Munakata

battery of influences from the West in the later 19th century without changing its essential nature. Then it gave 20th-century artists a wider range of references on which to base their own original work.

When the arts in the rest of the world became fascinated by what they then regarded as "primitive" art, Japanese artists had their own access to the unsophisticated past of the popular folk-art from which sophisticated *Ukiyo-e* sprang.

Throughout the revolution of modernism in Japanese art, artists continued to work in old forms, such as the woodblock print, able to use them as a medium for very modern observations.

Early this century, there was a certain amount of imitation of Western models in the Japanese print, but never very much, because the native tradition was so strong.

Subsequent generations have effortlessly achieved the freedom to take as much as they want from the past and reinterpret it in their own terms.

Three artists in woodblock being shown in London during the festival make the point neatly. Shiko Munakata (to be seen at the Hayward Gallery), whose work had attained the status of modern classics by the time of his death in 1975, practised a very Japanese sort of art, but one for which Hokusai or Utamaro might never have existed: it goes back to much more primitive forms, and consequently belongs completely to the world of modernism.

Tsuruya Koeiki (Redfern Gallery), the official artist for the Kabuki-za Theatre in Tokyo, looks at first glance to be completely traditional, doing near-pastiches of the classic theatrical prints. His technical experiments, however, bring in a completely new quality.

Tsugumi Ota's enormous black-and-white woodcuts (Royal National Theatre lobby) look at once oriental and occidental, referring to Japanese traditions and looking to European woodcuts, which themselves are derived from Japanese practice.

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James McNeill Whistler, *Symphony in White, No 2: The Little White Girl*, 1864. Trustees of the Tate Gallery, London.

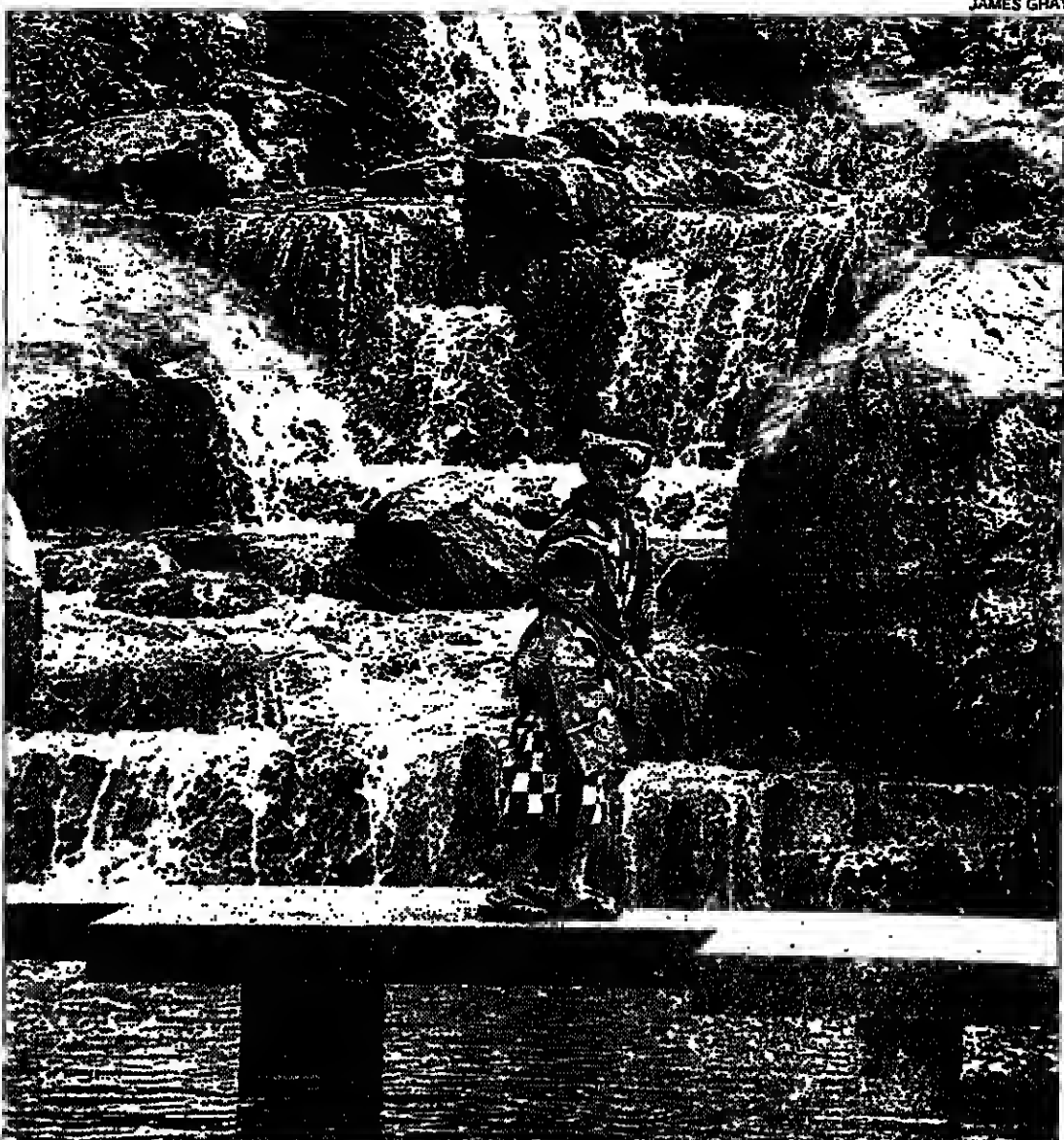
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Home from home: the new Japanese garden in Holland Park, west London, was made for the festival

## Pathways to perfection

What is immediately striking about a Japanese garden is how little it contains. It has no vista or parterre, no balustrade, no stairs or fountains, nothing at all resembling a herbaceous border.

The masterpieces are the temple gardens around Kyoto and the pleasure garden of the Katsura imperial villa. They are made up of rocks, bamboos and a limited range of trees and shrubs, including pine, azalea and camellia, set in a surface of sand, water, moss and pebbles.

There is a prevailing restraint, what the Japanese call *shibui*. Nothing appears new or conspicuous. The flowers, such as they are, are few and transitory. The placing of the rocks, the shaping of the shoreline, the entire design of the garden, offer the illusion of happy accident.

What is a Japanese garden for? It has no place for people, unlike the Chinese courtyard or the Western lawn. The site may be traversed, but only by the paths, stepping-stones and bridges, which create a route for the purpose.

The main function of the garden is to be looked at from within a building. To contemplate a garden from a temple or tea house, across a wooden verandah or through an opening between *shoji* screens, is to open oneself to the spiritual experience that lies at the heart of this great art form.

In the early 1960s, I built a house in the Cotswolds, in a style that today would be called neo-

### Milton Grundy considers the blooms, plants and garden plans that please the Japanese

vernacular. What kind of garden would it have? Roses and hollyhocks seemed quite inappropriate to what, in those days at least, seemed a starkly modern elevation. The Japanese manner of gardening provided a solution to the problem.

It is difficult for those of us brought up in Western traditions to be able to adopt for ourselves all the cultural assumptions that the Japanese bring to their experience

spar from Derbyshire for the "sand", and shrubs from the local garden centre.

Trees were a problem. The nurseryman's ideal tree seems to have the shape of a sponge on a stick. Trees with more interesting shapes I found in the back fields of Hillier's nursery, the propagator's "mistakes", which the sales staff were thrilled to get rid of at laughable prices, although the head gardener hesitated to let them

*Red petals fall on the moss. 'Now it is perfect,' the abbot tells the monk*

go, lest their appearance should damage his reputation. As for moss, there was no substitute for gathering it where I could find it. Explanations to a landowner about what I wanted were greeted with some disbelief, and I resorted to some discreet trespassing. Getting moss to grow was a great

problem. Gardening books are full of instructions for destroying moss, but none of them tell how to cultivate it. In general terms, moss likes a compacted soil surface in semi-shade. But the success of any particular planting has always been quite capricious. Sometimes

the pieces curl at the edges and come loose from the ground. Sometimes they are turned over by blackbirds and thrushes. Sometimes the moss is taken over by liverwort. At other times, the pieces knit together and seem to have been there always. Moss is not "labour-saving". It needs to be free of weeds and grass — it is possible to spray with a weak solution of weed-killer without harming the moss — and it needs to be brushed free of debris, though not every day.

A few freshly fallen leaves enhance the effect. Old leaves, along with twigs, droppings, brown petals and worm-casts, destroy the effect. The Japanese tell the story of the young monk under instruction from the abbot. He is told to sweep the moss under and around a camellia. He is eager to please and after several hours has removed every scrap of foreign matter, however tiny. "It is unnatural," complains the abbot on his return. He contemplates the camellia a little while, then strikes it with his stick. A few red petals fall on to the moss. "Now it is perfect," the abbot tells the monk.

Flawed, yet perfect. In the world of fertilisers and pruning, an experience of spirituality and peace and an early and continuing demonstration of "less is more", the Japanese way of making and enjoying gardens has qualities a troubled world may now be ready to embrace.

## A dish for all seasons

For early visitors to Japan, one of the greatest trials was the food.

When Isabella Bird, the Victorian traveller, went up-country in 1878, she was advised to take tinned meats, soups, claret and a maid.

"Bread, butter, milk, meat, poultry, coffee, wine and beer are unobtainable," she wrote. "Fresh fish is rare, and unless one can live on rice, tea and eggs, with the addition now and then of some tasteless fresh vegetables, food must be taken, as the fishy and vegetable abominations known as 'Japanese food' can only be swallowed and digested by a few, and that after long practice."

These days, we have discovered traditional Japanese cuisine to be one of the healthiest there is. It has had a profound influence on the development of nouvelle cuisine. Its most striking quality is its emphasis on visual beauty.

The Japanese say that they "eat with their eyes". At home, cooks choose their ingredients on the basis of shape and colour as well as taste. They cook them for as short a time as possible, and present the dish on the plate or bowl which will best complement the food.

There is always a delicate garnish on each dish, drawing your attention to the passing of the seasons — a maple leaf in autumn or a single cherry blossom in the spring.

In Japan, it is quite possible to have fish for breakfast, lunch and dinner. Fish, rather than meat, is the mainstay of the diet, which is hardly surprising given that Japan is a country of islands.

The supreme gourmet delight, the pinnacle of Japanese cuisine, is fish — of such

immaculate quality and pristine freshness that it would be a positive crime to eat it any way but raw, as *sashimi*.

There are many restaurants devoted to only one sort of fish. Sardine restaurants, for example, celebrate the versatility of the sardine by serving it raw, grilled on charcoal, deep-fried or simmered. Eel restaurants serve grilled eel fillets, soup with eel liver and deep-fried eel backbone.

In Japan "rice" equals "food"; it is the same word, *gohan*. Meals consist of many different courses of fish, vegetables and occasionally meat, served one by one in restaurants or all together at home. But the different foods are considered no more than side dishes, flavours to titillate the palate. Rice is the real sustenance. It is served last, to mark the end of the meal, and eaten plain with no sauce any kind spoils the pure flavour.

A modern-day Isabella Bird would have a much easier time travelling through Japan. The Japanese now eat meat. Some of the best beef in the world is Japanese. Cattle are reared underground, fed beer and *shochu* (rice wine) and given a daily massage to produce the meat, marbled with fat, which Japanese gourmets prefer.

All the other ingredients of a Western diet are also widely available in Japan. But while the Japanese adopt Western food, they transform it to suit their own tastes; the cooking may be foreign, but the spirit behind it is Japanese.

LESLEY DOWNER

● The author has written *Taste of Japan*, published by BBC Books, to accompany BBC2 series transmitted on Thursdays at 8pm.



Sushi: Japanese snack of cold garnished rice

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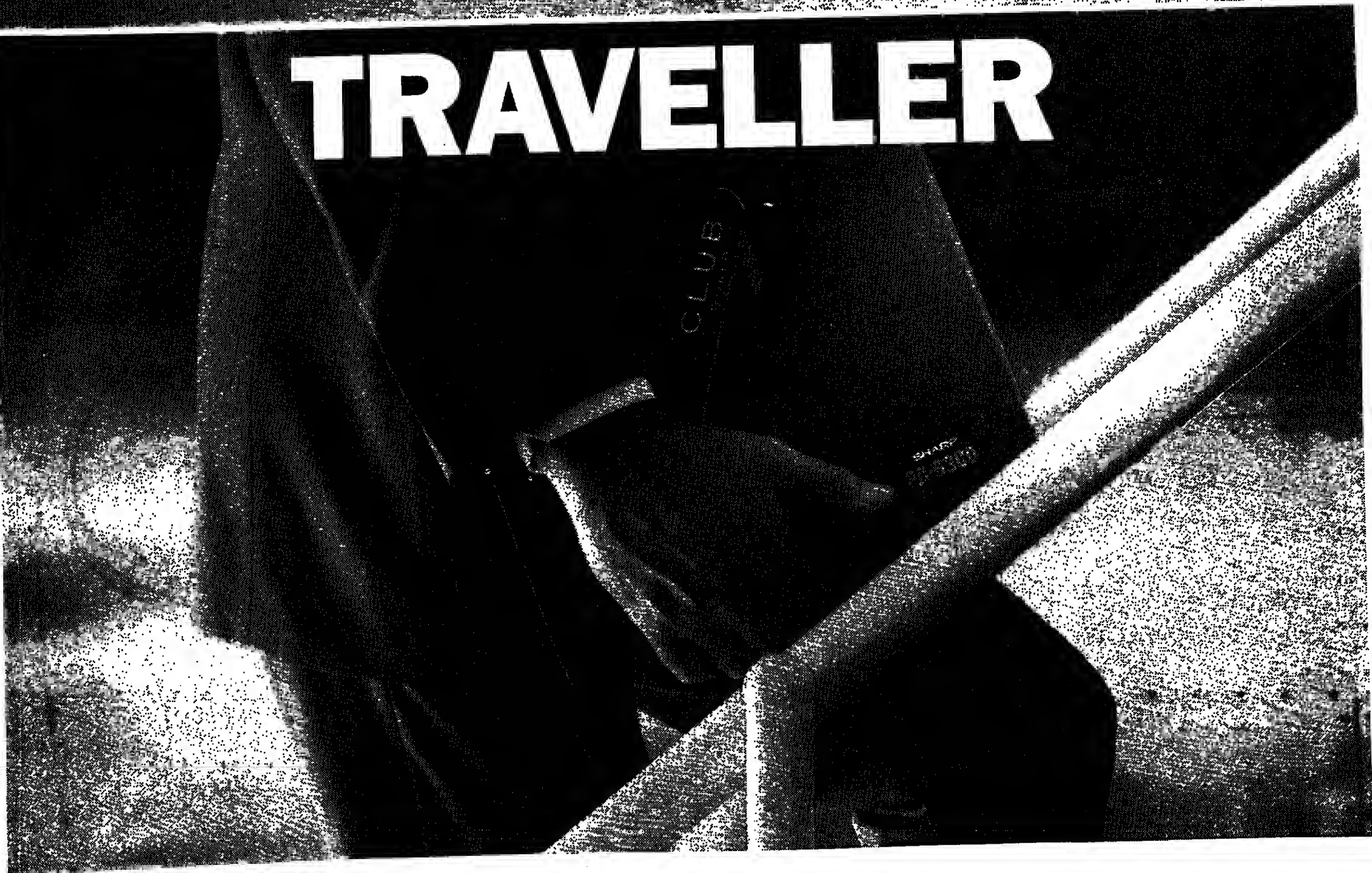
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# Switched on to the age of robots

The Japanese are enthusiastic about technology at work and in the home, Lesley Downer reports

Technology is an important selling point in Japan, and the Japanese are having an extended love affair with it. "Smart" buildings, which run their maintenance themselves, control their lighting and heating, and are programmed to respond to fires and earthquakes, dot the country. Showrooms have high-definition televisions, passport-sized video cameras, and the computers and living spaces that will be developed during the next decade.

While the British are disdainful, even suspicious, of technology, the Japanese have been remarkably successful in embracing it.

Last year, the key word was "fuzzy". Appliances featuring "fuzzy logic" software flooded the market. Fuzzy logic enables a computer within a machine to think and make decisions and to respond to changing conditions, much as humans do.

First came a fuzzy washing machine. Rather than setting it to perform a particular wash, you just put in the dirty clothes, shut the door and turned on the machine. Using optical sensors, a computer analyses the weight of the clothes and the amount and type of dirt, and selects the appropriate washing cycle from 600 possible combinations.

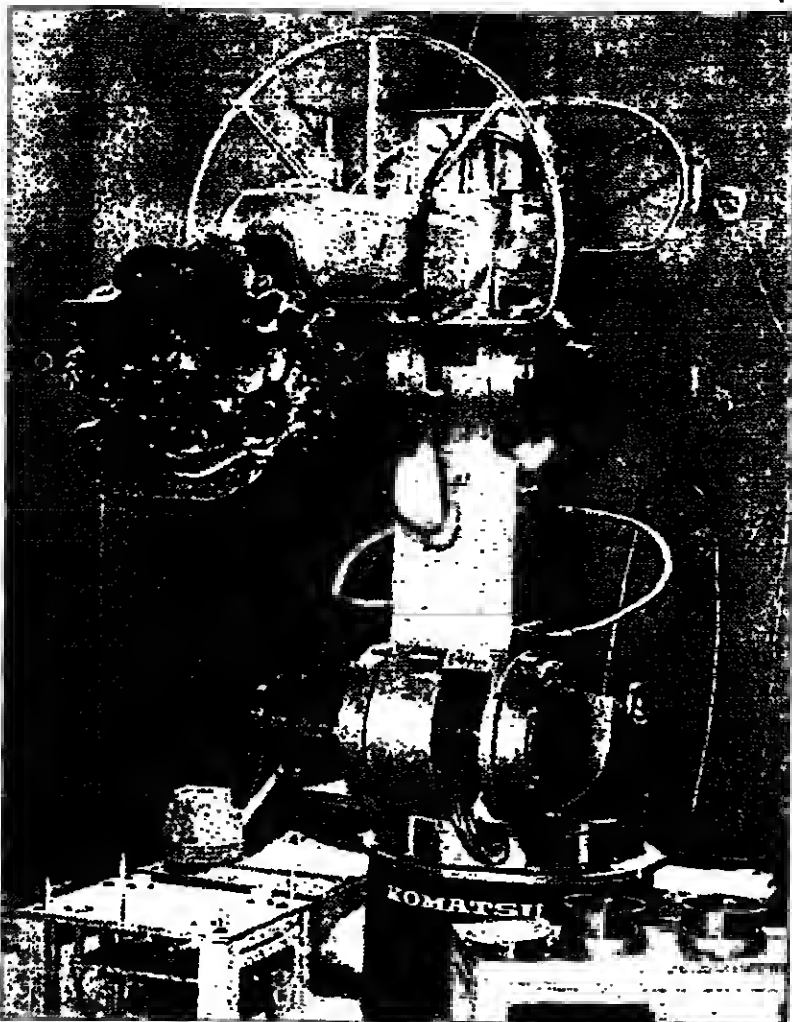
Fuzzy appliances quickly became the trend of the year. Fuzzy vacuum cleaners work out what sort of floor or carpet they are on and how much dirt

there is. Fuzzy televisions are not fuzzy at all. They automatically adjust their picture, reduce the brightness when the room gets darker, and turn up the volume if the viewers are a long way from the set.

Fuzzy appliances, however, are already becoming outmoded. This year, the in-word in Japan is "neuro". Neuro-fuzzy machines use neuro-computer technology as well as fuzzy logic. They can think even better than their predecessors. Neuro-fuzzy vacuum cleaners know what type of dirt they are sucking up and how much suction is required. Neuro air-conditioners consider the weather, the temperature outside and the number of people in the room before setting the optimum temperature.

There is even talk of a neuro television that will switch itself on for a programme you are likely to enjoy, on the basis of your viewing habits, and a neuro video-recorder, on which, if there are two programmes to your taste at the same time, one will automatically be recorded while you watch the other.

The concept of "fuzzy logic" came from the United States, not Japan. It originated in a paper published by Lofti Zadeh, a professor at the University of California, Berkeley, in 1965. He argued that while computers are binary, dealing only in yes and no, positive and negative, the human brain operates in the grey area between: concepts such as beauty,



Good mover: this robot at the Science Museum is programmed to dance

intelligence, age or dirtiness are relative, not absolute. Surely, computers could be programmed to think in the same way, to differentiate between "nearly" and "a little more".

In the West, his idea was largely ignored. The Japanese, however, spotted its potential.

The serious use of fuzzy logic and neuro-technology is in developing computers able to think and respond more and more like the human brain. The final result will be machines that function and even look like human beings — robots, in other words. The Japanese lead the field in

robots and have been the most successful in putting them to work. In factories they carry out repetitive tasks, such as assembling and painting cars and parts with precision. They can work in dangerous environments or perform jobs too intricate for human fingers. In a branch of the Seibu department store, there are even "reporters", small robot porters that trundle around after you, carrying your shopping basket. As well as embracing technology, the Japanese have made robots their friends.

● Robotics Japan is at the Science Museum until October 31

# Creating order out of city chaos

Construction is booming because buildings are cheap compared with the high price and scarcity of land

Japan in the 1990s offers unrivalled opportunities to build. The combination of the world's most powerful economy, scarcity of land and technological innovation has led to the price of an urban site often exceeding the value of the building on it. Most buildings are regarded as commodities with a life expectancy of a few years. The typical apartment block may last 15 years, and fashionable bars, nightclubs and boutiques are replaced at an astonishing speed.

Japan's construction industry is dominated by a handful of big companies, most of which employ several hundred architects. Their work is technically superb but aesthetically undistinguished, in contrast to the few internationally renowned designers known for their individuality.

In Europe, for 20 years, leading architects have been preoccupied with the problem of the city, but in Japan concepts such as conservation, context and townscape are meaningless. Japanese cities are visually chaotic, made of ephemeral buildings and signs, and the architectural result of this perpetual change is a bewildering array of highly personal styles, frequently accompanied by esoteric "theoretical positions".

Tadao Ando, perhaps internationally the best-regarded of contemporary Japanese architects, tries to counter commercialisation by designing what he calls "bastions of resistance". At the other extreme, the consumption spiral leads to ever more bizarre imagery.

Of the image-makers, none is more potent than Shin Takamatsu, who works in his native Kyoto. His buildings are some of the most aggressively designed ever seen.

Older post-modernists, such as Arata Isozaki, liberally raid the traditions of classicism. Isozaki's Tsukuba Centre building quotes from Michelangelo, among others, and many young designers offer seemingly perverse "inter-cultural" collages of Western and Japanese sources.

Ando's buildings, by contrast, are calm, introverted compositions of bare concrete walls. Ando, from Osaka, created interest in 1974 with the design of a row-house, which presented a rectangular concrete wall to the street, blank but for a single door opening. The interior consisted of two small cubes of space looking into a top-lit courtyard. Moving from one part of the house to the other meant going outdoors, regardless of season or weather.

For Ando, and for later clients who accepted similar arrangements, this offered a

means of preserving contact with nature at its most elemental, an experience central to traditional Japanese culture, but under threat in the artificial contemporary world.

Ando has completed numerous exquisite houses, chapels and larger commercial projects, as well as works almost exclusively with bare concrete, cast with a superb finish as a ground on which to use the play of natural light. Between the extremes of Ando and Takamatsu, others are seeking new kinds of architectural order within the modern city's apparent chaos. Fumihiko Maki, a generation older, likens Tokyo's structure to a cloud, a constantly shifting but recognisable form. The comparison has guided several recent designs, including the acclaimed Spiral complex, which has a beautiful street facade suggesting frozen movement. Built for a manufacturer of women's lingerie, the complex is an intricate assembly of commercial offices, restaurants, theatre, shops and exhibition spaces, a kind of cultural flagship for the company.

A new generation of archi-

itects is preoccupied with the search for a response to the welter of electronic information behind which objects and buildings are disappearing. A pioneer is Toyo Ito. One of his most enchanting projects involved the transformation of a ventilation shaft outside Yokohama station into a Tower of Winds, which registers changes in the environment as a shifting tapestry of light and sound. He has recently completed a Zepplin-shaped gateway to an apartment complex in Tokyo, which is reflective by day, and starts to glow at night.

Ito's vision of the super-stimulated society, which he believes is fast approaching, can be experienced in the London exhibition Visions of Japan at the Victoria & Albert Museum, and the T-Zone show at The Collection Gallery, 264 Brompton Road, Kensington (until October 20). The T-Zone show features the work of other designers who are exploring similar territory. Hiroyuki Wakabayashi, at the age of 42 still a "young" architect, has remarked: "Japan has no culture now, only a civilization of products."

The challenge of making significant buildings in a culture of obsolescence is universal, but nowhere are the dilemmas more apparent than in Japan, where the inexorable cycle of consumption treats the original and the trivial on equal terms — so long as they offer the required novelty.

RICHARD WESTON

RICHARD BRYANT



Concrete patio: an example of Tadao Ando's work

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the books**

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**Welcome back: Frost, left, Player and Bland at St Andrews yesterday**

## Holland crowns fine season with apprentice record

## Swinburn breaks wrist

## RUGBY LEAGUE

## British squad defends title



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## SPORTS LETTERS

## Alternative view of future for British athletics

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## Europe united

man, Spanish and Dutch players would offer a strong challenge to a combined Indian-Pakistan team and/or an Australasian side.

Maybe the New Zealand All

## Learning by trial and error

avoided by earlier application of  
the new attitudes.  
Yours faithfully,  
**PETER HODGSON,**

## RUGBY LEAGUE

## Drug test changes are likely

**Su Ragazzi II**  
**start away**  
SU RAGAZZI II. of the third

tion, who last season  
led the quarter-finals of the

**Royal Bank Scottish men's cup.**  
have been drawn away to  
**Bellshill Cardinals II** in the first  
round this year.

Krysal Klear v Team: Blantyre, Grange v  
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SYLVIA DISLEY,  
Hampton House,  
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Upper Sunbury Road,  
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Rugby World Cup reputations continue to take a battering as joint favourites fret on Farr-Jones's injury

# Australia survive a shake-up by Samoans

Australia ..... 9  
Western Samoa ..... 3  
By GERALD DAVIES

AUSTRALIA, in a grinding, mauling match, in which the tactics were imposed by the weather rather than by the opposition, survived to win this Rugby World Cup Pool 3 game at Pontypool to ensure their quarter-final place, which had hardly been in question. There is a big question now, however, about their future progress.

The victory — by three penalty goals by Lynagh to one by Vaea, who missed four others — was achieved only at serious cost for Australia. Nick Farr-Jones, their scrum half, captain and major tactical influence being taken off the field in the ninth minute of the first half. He suffered an injury to the medial ligament of his right knee and will probably not be able to play again for ten days.

This cuts it fine if Farr-Jones is to be available for Australia's likely quarter-final match — as winners of Pool 3 — which takes place on October 20. The exact length of Farr-Jones's recuperation will be confirmed today.

Bob Dwyer, Australia's coach, was clearly concerned at the injury to such a key player but was nonetheless encouraged by the manner in which Michael Lynagh took over the captain's duties. He kept the tactics and discipline on course.

The reputation of others means very little to Western Samoa. They are here to dent them and create their own. Everyone is fair game. If lowly Wales were on the receiving end on Sunday, yesterday was the turn of the tournament's joint favourites to be ground through the mill.

Close as they are to each other in the South Pacific, Australia, curiously, had never played Western Samoa before. After this titanic struggle which, despite its essentially muscular nature, was thoroughly entertaining, it is unlikely, as Dwyer suggested, that this state of affairs will remain for much longer. "They have explosive players with a lot of skill," he said. "Let's say that their players have a high proportion of fast-twitch fibres." Perhaps you see what he means.

Western Samoa, as they showed once more, are a technically proficient team in all the phases. Even in the lineout, where they give away height, they have mastered the art of winning a good share of



possession. Fatialofa is a terrific sight on the rampage, as is Alataloa. Their back-row men are, as might be expected, in the New Zealand mould. Bachop and Bunce are the pick, so far, of the backs.

It was an occasion for Pontypool to show off its fine park to the world. The autumnal colours are on the turn but were lost in the mist and the rain never eased. The players, within these limitations, made a fine go of it. There were some hopeful attempts by Western Samoa to spread the ball but Australia, in their wisdom, never ventured as much all afternoon.

Lynagh had given his side a three-point lead in the second minute but it was their opponents who conjured the best moment for a try and had Vaea not ignored Faamasino on his outside, it could well have been so. Instead, just before half-time, Lynagh succeeded with a penalty.

Western Samoa preferred the loose, Australia showed how they have mastered the moving maul, one of which during the second half stretched for some 25 metres or so.

The crowd were, naturally, behind the underdogs but Vaea failed to give them what they wanted and kept missing his shots at goal. To the biggest roar of the afternoon, he eventually succeeded with a quarter-of-an-hour to go. But Lynagh, who suffered slow handclapping when he prepared for a penalty and a discourteous cheer when he missed, finally settled the score with his third penalty.

**SCORERS:** Australia: Penalties: M Lynagh (3). Western Samoa: Penalty: M Vaea. **AUSTRALIA:** M Rodbock (Eastwood), J Flett (Hawthorn), A Herbert (GWS), T Horan (Southern Districts), O Campese (Queensland), P Kemps (Hawthorn), M Fort-Jones (Sydney Uni), capt, rep: P Stenbury (Queensland), C Lillcrop (Queensland), J P. Kemps (Hawthorn), D Crowley (Southern Districts), J Miller (Queensland), T Coker (Wests), S Culler (Gordon), S Hester (Queensland), J Eales (Brisbane). **WESTERN SAMOA:** A Alataloa (Moorea), A Lima (Wellington), rep: T Togiola (Wellington), T Vaea (Hawthorn's Bay), F Bunce (North Harbour), T Faamasino (Wellington), S Bachop (Canterbury), M Vaea (Wellington), P Fatialofa (Auckland), capt, S Toomatala (Wellington), V Alataloa (Moorea), J Faramoni (Queensland), M Birimilata (Wellington), M Koroana (Auckland), A Pesea (Auckland), O Kaloapa (Auckland). **Referee:** E Morrison (England).

Scotland's record, page 38



Air delivery: Vaea, the Western Samoa scrum half, distributes to his backs during his team's gallant 9-3 World Cup loss to Australia in the Pontypool drizzle yesterday

## Perfection reigns in the rain

SIMON BARNES

ALL games have a kind of imaginary heartland, a vision of the perfect, the cosmically correct conditions under which the game should be played. Cricket, for example, should have the smell of cut grass, the rickety thatched pavilion, and the gentle sun of an English summer.

Rugby's heartland is quite different. I was in it yesterday, dripping with rain, committing the cardinal sin of cheering in the press box and thoroughly relishing a classic form of rugby beauty as Australia came desperately close to defeat by Western Samoa.

Australia won it 9-3; all the scores were penalties. If the Samoans had possessed a world-class kicker, they would probably have scraped a win. It is odd, but a match decided by penalties really did have something of perfection about it. We were in Pontypool, a ground surrounded by reddening trees, a precipitous slope on the far side peopled with several hundred umbrellas.

And it rained. Oh, how it rained. It rained as if Wales had something to prove

Major tournaments like these badly need a dark horse. Cameroon proved themselves exactly that in the football World Cup. They rescued a tournament plagued by sterile encounters and tactics of the same kind of damage-limitation philosophy that dominated England's match with Italy in this tournament on Tuesday.

The massive physical commitment of the Samoans tends to mask the fact they are a skilful and well organised side; the same was true of Cameroon. But yesterday was a day to test physical commitment more than any other footballing quality. The kicking was high and often, the tackles were much the same. Both sides tackled on the cusp of legality; it was an utterly ferocious game. Rugby is supposed to be that. Especially, wet weather rugby in Wales is supposed to be like that.

"They're not scared of much," Dwyer said. The Samoans are relishing all this, and looking forward hugely to their game on Sunday. For the third time

in eight days, they will be playing the most important rugby match Western Samoa has ever faced.

Ridiculously, this was the first time Australia have played Western Samoa. Dwyer suggested that the time was ripe for a five nations' style tournament involving Australia, New Zealand, Western Samoa and Fiji. How long before the Samoans would win it, I wonder.

Naturally, in Western Samoa, there is huge delight about all this. In fact, there was probably a bigger crowd watching the match at Apia Stadium in Samoa, than there was at Pontypool. There is no television in Western Samoa, but Television New Zealand arranged a satellite link, and the game was shown live at the stadium.

The Wales match was seen by 12,000 people in Samoa, some having made a three-hour sea voyage from the Savaii island to the main island of Upolu to see the game, despite the brewing storm. Apparently the cheer for the second try drowned the thunder.

## Tenacity in defeat earns admirers

THE managers of both Western Samoa and Japan were encouraged by their sides' performances yesterday, even though beaten.

Tate Simi, the Western Samoan manager, said: "We're very proud of our display, but some of the decisions of the referee were difficult to understand." Ed Morrison had often pulled up the Samoans for technical infringements as they drove the Australians back in the loose.

Bob Dwyer, the Australian coach, said: "We were all expecting a tough game, but I didn't expect the Samoans to be quite so tenacious."

Bryan Williams, the Samoa coach, felt the Samoan performance might even affect Australian morale. "We called Sunday's victory over Wales the biggest game in our history, but that equally applied today and will do again when we meet Argentina on Sunday. I think that Western Samoa will now be seen as having players who measure up very favourably to any team here in the World Cup."

Shigey Konno, the Japanese manager, was philosophical in defeat against Ireland, who

won 32-16 in Dublin, after his team had gained many admirers for its speedy and adventurous play. "The result was disappointing. We made too many errors but that cannot be helped. We had to take a gamble," he said.

The wet weather had not affected his team's performance. "We like to play the running game, and we didn't drop too many balls," he said. "But there was a high, swirling wind and we failed to take advantage of it."

Ireland's coach, Ciaran Fitzgerald, said he was satisfied. "This was the result we needed and we wanted to be two victories up in our two opening matches. The Japanese were excellent attackers, which we knew in advance, and we allowed them to cross our line three times but from now on we'll be continuing to work on our defence."

Asked about the coming Scotland match, Fitzgerald said: "We know them of old and they are very impressive, particularly at home. I think they will start as favourites but we've done our preparation and we will see what happens on the day."

## South African World Cup entry meets opposition

By RICHARD STREETON

ATTITUDES among several Test match countries have hardened against South Africa's participation in the World Cup to such an extent that the International Cricket Council (ICC) is expected to hold a special meeting in Sharjah on the issue within the next fortnight.

The continued violence in South African townships has introduced a new factor to the already delicate situation that faces the ICC and the organisers of the tournament in Australia next February and March.

An emergency ICC meeting has become almost inevitable following strong hints from Pakistan, India and Sri Lanka in the past 48 hours that in certain circumstances they might consider withdrawing from the World Cup. The one-day tournament involving the three Asian countries and West Indies in Sharjah from October 17 to 24 provides an ideal opportunity for the ICC to meet and resolve a problem that could threaten its future existence.

The protest from the sub-continent first stemmed from the intention of Colin Cowdrey, the ICC chairman, to give a unilateral ruling after consulting his member countries on whether South Africa should take part. Now the present civil and political strife in South Africa, with their threat to the implementation of the republic's new constitution, has brought reminders that their presence could be politically embarrassing.

ICC rules were unclear on Cowdrey's powers from the start. He was known to have

felt originally that the best way to deal with South Africa's unexpected request last month for a World Cup invitation was to take soundings and then announce a decision. He bore in mind that time was running out and that several ICC countries lacked the funds to send delegates around the world at short notice.

Pakistan, India, Sri Lanka and West Indies have remained adamant, however, that only another full meeting could change the ICC's decisions in July, when it was resolved to readmit South Africa and agreed that they should not compete in the World Cup. West Indies, who abstained on that occasion, last week reaffirmed their opposition to South Africa for the same procedural reasons now being raised elsewhere.

General Zaid Ali Akbar, president of the Pakistan cricket board, said from Lahore: "Our stance has not altered. A decision taken by ICC at full session can surely only be changed at another

meeting with discussions across the table. There is an important principle involved, something even more important than playing in the World Cup."

In Colombo, Tyrone Fernando, president of the Sri Lankan board and minister for legal and prison reforms, agreed that it would be wrong for there to be no special ICC meeting. The Sri Lankan board has a meeting tomorrow night, when the question of withdrawal could be raised.

Fernando had discussions with Madhav Rao Scindia, the president of the Indian board and India's minister for civil aviation and tourism, at the recent Commonwealth parliamentary conference in Delhi, and Scindia backed any moves to ensure that the ICC met.

South Africa's chances of winning approval in Sharjah hardly look good, even though the obstacles which prevented them entering the World Cup at July's meeting have been removed.

Australia and New Zealand, the co-hosts, are known to want the South Africans for the additional revenue they would generate and have a new programme ready if they were allowed to take part.

England have no objection to South Africa playing if other countries agree, while Zimbabwe, the eighth entrants, have not yet shown their hand. Robert Mugabe, the country's president, recently argued in the United Nations, however, that financial sanctions against South Africa should remain until the new constitution was "irrevocable".

## Mosley takes over Fisa presidency

By NORMAN HOWELL

MAX Mosley became the president of Fisa, motor sport's governing body, yesterday by defeating the French incumbent, Jean-Marie Balestre, 43-29 in a secret ballot at the organisation's headquarters in Paris.

Mosley, aged 51, immediately succeeded Balestre, who had presided over Fisa for 13 years. Mosley, had been quietly campaigning outside Europe, collecting votes from a number of countries disaffected with the Frenchman's robust and at times eccentric way of running motor racing.

Mosley said two weeks ago that he was confident of victory because a number of countries, presidents of large motor racing organisations and companies such as Toyota and General Motors, had had enough of Balestre's style.

"There is a lot of work to do," Mosley, a former Formula Two driver, said after taking over the president's chair. "I want to bring to a change of style, but it will not be done overnight. Whatever does happen will take place early next year. That is when things will begin to change."

Mosley's first action on taking power was to fulfil an election promise that he would preside for only one year before seeking re-election. "I wanted to show people that I do what I say," he said. "Now they can judge me in a year's time."

Where all this leaves Balestre, aged 71, who has dominated the world of motor racing for more than a decade, is still unclear. He remains the president of the FIA, the

governing body of motor racing worldwide, which is the senior association and he may yet be able to influence his former domain.

Balestre was a highly visible figure at grands prix. Mosley promises a less conspicuous approach. He acknowledges that Formula One is run by Bernie Ecclestone, the leader of the constructor's association and also a vice-president of Fisa.

The new president intends to concentrate on other aspects of motor racing, such as rallying and sports cars, which ultimately are of more interest to the big car manufacturers. "As far as Formula One is concerned, I will only make sure that the rules are observed," he said. "That is Fisa's role, as well as appointing the race stewards and making sure that they are in a position to carry out their duties properly."

Ayrton Senna, the Formula One world champion driver, who had some memorable encounters with Balestre, will have noted the outcome of the election with interest. He and other leading drivers had been asked to write letters of support for Balestre, which they refused to do. They will probably welcome the change, if only because driver's briefings will become less heated affairs.

Mosley said that one of his first actions would be to review the procedure for drivers appealing against stewards' decisions at races. He said: "I know a lot of drivers have been upset about some of these things recently, and I would like it to be looked at very carefully."

## England's injuries increase

THE injury toll continued to mount yesterday for the teams from the home countries, engaged in European football championship qualifiers next week. The Arsenal pair, Ian Wright and Tony Adams, will have fitness tests to determine whether they can join up with the England party tomorrow.

Wright, who has scored six goals in four games since his move from Crystal Palace, is the biggest doubt. He only played against Leicester City on Tuesday with the help of an injection to relieve the pain from an ankle ligament injury.

Adams has a groin strain, as does Keith Curle, who pulled out yesterday. The situation is a worry for England, preparing for the tie with Turkey, since two other central defenders, Mark Wright and Paul Parker, had already withdrawn.

England's group rivals, the Republic of Ireland, have lost Curle's Manchester City colleague, Niall Quinn (knee ligaments), from the squad to play Poland in Poznan.

The Leeds United pair, Gordon Strachan and Gary McAllister, are both hoping to recover from injuries in time for Scotland's trip to Romania.

Wales will be without the Bristol City central defender, Mark Aizlewood, in Germany. He faces a cartilage operation. The Norwich defender, David Phillips (ankle), and the Sheffield United midfielder, Glyn Hodges (toe), are also out. Fortunately for Wales, Aizlewood's injury coincides with the return to fitness of the Crystal Palace centre half, Eric Young.

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